

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.40979 of 2023**

Arising Out of PS. Case No.-107 Year-2022 Thana- SURSAND District- Sitamarhi

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Vinay Chaudhary, Son Of Late Suresh Chaudhary, Resident Of Village- Majhaura, Police Station- Sursand, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

|                          |   |                                |
|--------------------------|---|--------------------------------|
| For the Petitioner/s     | : | Mr.Madhubala Verma, Advocate   |
| for the Informant        | : | Mr. Shashank Shekhar, Advocate |
| For the Opposite Party/s | : | Mr.Amitesh Kumar, APP          |

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH**

**ORAL ORDER**

2      19-07-2023                      Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

2. Heard learned counsel for the petitioner and learned A.P.P for the State.

3. The petitioner has preferred this application for grant of regular bail in connection with Sursand P.S. Case No. 107 of 2022 dated 05.03.2022 registered for the offences punishable u/s 366A read with Section 34 of the Indian Penal Code and u/s 8 of the POCSO Act.

4. As per the prosecution case, the petitioner and the co-accused persons are alleged to have kidnapped the minor daughter of the informant when she had gone to attend call of nature. It is further alleged that the informant went to the house of the accused but he was abused and threatened by the accused



persons.

5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There is general and omnibus allegation against the petitioner. The victim in her statement recorded under Section 164 Cr.P.C has not supported the prosecution case and she solemnized marriage with the petitioner. The petitioner has got clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 02.05.2023.

6. Learned A.P.P. for the State has vehemently opposed the prayer of bail petition of the petitioner.

7. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Sitamarhi in connection with Sursand P.S. Case No. 107 of 2022.

8. The application stands allowed.

**(Chandra Prakash Singh, J)**

Gautam/-

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