

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50379 of 2023

Arising Out of PS. Case No.-36 Year-2023 Thana- GOPALPUR District- West Champaran

Jitu Chaudhary Son Of Ramasaray Chaudhary Resident Of Village-
Narkatiya, Police Station- Gopalpur, District -WEST Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajeet Kumar Bhardwaj, Advocate

For the Opposite Party/s : Mr. Mukesh Kumar Singh, APP

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

ORAL ORDER

2 16-08-2023 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 Gopalpur P.S. Case No. 36 of 2023 dated 21.03.2023 registered for the offences u/ss 363 and 366A of the Indian Penal Code and sections 8 and 12 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 on the false pretext of marriage.

5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case.



Learned counsel has further submitted that the victim and the petitioner solemnized marriage with their own consents. Learned counsel has further submitted that there is no evidence on record shows that the victim was forced to have illicit relationship with another person. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 22.03.2023.

6. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner by submitting that the victim is a minor girl.

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, Bettiah, West Champaran in connection with Gopalpur P.S. Case No. 36 of 2023.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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