

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47869 of 2023

Arising Out of PS. Case No.-289 Year-2022 Thana- DHANAHA District- West Champaran

Achhelal Choudhary Son Of Ambika Choudhary Resident Of Village-
Mushahari, Pandey Tola, Ps- Dhanha, Dist- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Gupta

For the Opposite Party/s : Mr.Mohammad Sufyan

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 04-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 366A, 34 of the Indian Penal Code and Section 8 of the POCSO Act.

As per FIR, the allegation against the accused persons including this petitioner is that they kidnapped daughter of the informant for the purpose of ulterior motives.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case merely on the basis of suspicion. From perusal of impugned order, it appears that the victim in her statement recorded under Section 164 of the



Cr.P.C., wherein she has stated that she was in love with this petitioner and she went with him with her own sweet-will and thereafter they solemnized marriage. As per para-3 of the bail petition, the petitioner has got no criminal antecedent. It is further submitted that the petitioner is languishing in judicial custody since 18.05.2023.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Dhanha P.S. Case No. 289 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge POCSO-cum A.D.J.-VIIth, West Champaran, Bettiah.

(Sunil Kumar Panwar, J)

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