

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52748 of 2023

Arising Out of PS. Case No.-147 Year-2023 Thana- NAUTAN District- West Champaran

VIKKU CHAUDHARY @ VIKKU KUMAR @ VIKAU CHAUDHARY S/O
AMERIKA CHAUDHARY R/O VILLAGE- MANAGALPUR KALA, PS.
NAUTAN, DIST. WEST CHAMPARAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anant Kumar Mishra, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 21-08-2023 Heard Mr. Anant Kumar Mishra, learned Counsel for

the petitioner and Mr. Ashok Kumar Singh, learned APP for the

State.

The petitioner is an accused in connection with
Nautan P.S. Case No. 147 of 2023 registered for the offences
under sections 366(A) and 34 of the Indian Penal Code and
section 8 of the POCSO Act lodged on 27.04.2023 by the
informant, Yogendra Chaudhary.

As per the prosecution story, the informant's daughter
went to attend the nature's call but allegation is that she was
taken away by the accused persons. This followed the FIR.

The girl subsequently returned and made statement
under section 161 of the Cr.P.C. in which she narrated that she



went on her own to Patna via Gopalganj, was in relationship with the petitioner, she herself called the petitioner there as her parents wanted a marriage to be solemnized elsewhere, in frustration, she had left the place.

Learned APP for the State, on the other hand, opposes the prayer for bail.

Taking into account the aforesaid submissions put forward by the learned Counsel for the petitioner, he is 21 years of age, do not have criminal antecedent, is in custody since 28.04.2023 (as stated in paragraph 18 of the bail application), this Court is inclined to extend him privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousands only) with two sureties of like amount each to the satisfaction of the learned Special Judge POCSO cum Additional District and Sessions Judge VI th, Bettiah, West Champaran in connection with Nautan P.S. Case No. 147 of 2023, subject to the following conditions:-

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his *bona fide*;

(ii) the petitioner shall appear on each and every date



before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial court itself;

(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of his bail bonds;

(iv) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

Neha/-

U		T	
---	--	---	--

