

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57513 of 2023

Arising Out of PS. Case No.-15 Year-2023 Thana- SHRI NAGAR District- Madhepura

SATISH CHAURASIA @ SATISH KUMAR S/O RAJ KUMAR
CHAURASIYA R/O MANGARWARA, WARD NO. 06, P.S- SHRINAGAR
AND DISTT.- MADHEPURA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Verma, Advocate
For the Opposite Party/s : Mrs.Sucheta Yadav, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 31-08-2023 Heard the parties.

The petitioner is in judicial custody in connection with P.S. Shrinagar P.S. Case No. 15 of 2023 for the offence punishable under Sections 363, 366-A/34 of the Indian Penal Code Act lodged on 11.2.2023 by the informant, Amrendra Thakur .

As per the prosecution story, the allegation is that the informant gave written report that his minor daughter went out side to attend the nature's call but abducted by the accused persons and taken in a four wheeler. Further allegation is that the four wheeler was owned by Basant Kumar who had sold it to Rupesh Kumar and due to enmity, she has been kidnapped. Subsequently, during investigation, the name of the petitioner



cropped up.

It is submission of the learned counsel for the petitioner that both the petitioner and the victim girl were in relationship, solemnized marriage at Singheshwar temple, Madhepura on 10.2.2023, she has made categorical statement under sections 161 of the Cr.P.C. and 164 of the Cr.P.C. stating that she was in relationship with the petitioner and had married.

Learned APP opposes the prayer stating that the said girl was minor.

Considering the fact that has come on record by way of submission of the parties, as per the petitioner's counsel, the girl has made categorical statement, thus debunking the prosecution story, the petitioner is in custody since 8.5.2023 (para-16 of the petition) is 23 years of age, this Court is inclined to extend him the privilege of bail with conditions.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Additional Sessions Judge-VI cum Spl. Judge, POCSO, Madhepura, in connection with Shrinagar P.S. Case No. 15 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 the 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 his bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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