

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62783 of 2023

Arising Out of PS. Case No.-85 Year-2023 Thana- ITARHI District- Buxar

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Arun Kumar Chaudhary @ Arun Chaudhary Son Of Sadasi Choudhary @
Sadashiv Chaudhari Resident Of Village -ITARHI, P.S. - Itarhi, District -
Buxar

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ashwini Kumar Rai

For the Opposite Party/s : Mr.Dr.Mrityunjaya Kr.Gautam

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 09-10-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2.The petitioner has prayed for regular bail in a case
registered for the offence punishable under sections 365,
366(A), 504, 506 and 34 of the Indian Penal Code and Section
8 of the POCSO Act.

3. Allegation against the petitioner is that he abducted
the niece of the informant when she went to attend the call of
nature.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He has
falsely been implicated in this case. It is further submitted that
from perusal of the Impugned Order, it is mentioned that the



victim recovered and has not whispered any complicity of the petitioner in this alleged offence and also she stated that she solemnized marriage with this petitioner out of her own sweet will. Good sense has also been prevailed between the parties and in support of this, Annexure-2 has been annexed in this petition. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 11.04.2023.

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

6. 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 Itarhi P.S. Case No. 85 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-VI-cum- Special Judge, POCSO Court, Buxar.

(Sunil Kumar Panwar, J)

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