

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64419 of 2022

Arising Out of PS. Case No.-123 Year-2021 Thana- MANIHARI District- Katihar

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MUKESH CHOUDHARY Son of Ramadhar Choudhary R/o Kutubpur, P.S-
Mainihari, Distt- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar Singh
For the Opposite Party/s : Mr.Ram Naresh Ray

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**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

3 23-03-2023 Heard the learned counsel for the petitioner as well
as the learned Additional Public Prosecutor for the State.

The petitioner is seeking regular bail in connection
with Manihari P.S. Case No. 123 of 2021, alleged offences u/s-
363, 366(A) of the IPC and 8 POSCO Act.

Learned counsel for the petitioner has submitted that
the occurrence of kidnapping is alleged to have taken place on
22.05.2021, whereas the FIR has been lodged on 27.05.2021.
The victim in her statement under Section 164 of the Cr.P.C. did
not support the prosecution case and she has stated that she went
with the petitioner with her own sweet will. The petitioner is a
person of clean antecedent and is under custody since
28.05.2021.



On the other hand, the learned APP has opposed the prayer for bail.

Considering the above-mentioned facts and circumstances, let the petitioner above-named be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned court of A.D.J.-VII-cum Special Judge POCSO Court, Katihar in connection with Manihari P.S. Case No. 123 of 2021, subject to the following conditions:-

(i) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.

(ii) If the petitioner is found involved in future in the similar type of offence, the prosecution will have liberty to file an application before the court below for cancellation of the bail of the petitioner and the learned court below will take decision in accordance with law.

(Nawneet Kumar Pandey, J)

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