

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70463 of 2023

Arising Out of PS. Case No.-128 Year-2023 Thana- PATLIPUTRA District- Patna

Ram Niwas Chaudhari @ Ram Niwas Choudhary S/O Suwa Lal Jat Resident
Of Village- Dodawadiyo Ka Bas, P.O- Sinodiya Jobner, P.S- Fulera, Distt.-
Jaipur (RAJASTHAN).

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun Kumar Tiwari

For the Opposite Party/s : Mr.Asha Kumari

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 06-11-2023 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 366A, 368, 363, 370, 366 and 120B of the Indian Penal Code, Section 6 of the POCSO Act and Sections 75 and 81 of the J.J. Act.

3. As per prosecution case, unknown miscreants are alleged to have kidnapped the minor daughter of the informant.

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. The petitioner is not named in FIR rather his name came into light in this case on the basis of confessional statement of other co-accused person before the police which has got no evidentiary value in the eye of law. It is



further submitted that the victim girl has recovered and her statement has been recorded under Section 161 of the Cr.P.C. wherein, she stated that she has married with this petitioner out of her own sweet will. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Similarly situated other co-accused person has already been granted bail by this Court vide order dated 21.09.2023 in Cr. Misc. No 62314 of 2023. Moreover, the petitioner is languishing in judicial custody since 29.05.2023.

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 this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Patliputra P.S. Case No. 128 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 Sessions Judge-VIth cum-Exclusive Special Judge, POCSO, Patna.

(Sunil Kumar Panwar, J)

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