

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81248 of 2023

In
CRIMINAL APPEAL (SJ) No.4022 of 2023

Arising Out of PS. Case No.-19 Year-2022 Thana- MAHILA PS District- Jehanabad

RAJESH KUMAR CHOUDHARY @ RAJESH CHAUDHARY SON OF
LAKSHMI CHAUDHRI @ LAKSHMI KANT CHOUDHARY @
LAKSHMAN CHAUDHARY RESIDENT OF VILLAGE - UMAIRABAD,
P.S. - ARWAL, DISTRICT - ARWAL

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. YOGENDRA CHOUDHARY SON OF SHIVNANDAN CHOUDHARY
RESIDENT OF VILLAGE - UMAIRABAD, P.S. - ARWAL, DISTRICT -
ARWAL

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Diwakar, Adv.

For the Opposite Party/s : Mrs.Usha Kumari 1, Spl.P.P.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 20-12-2023 Heard learned counsel for the parties.

2. Petitioner apprehends his arrest in a case registered for the offence punishable u/s 323, 341, 366(A), 504, 506 & 34 of the IPC, sections 8/12 of the POCSO Act and sections 3(1)(r)(s) and 3(2)(va) of the SC/ST Act.

3. As per the prosecution case, the son of the petitioner forcibly married the daughter of the informant and took her to his home, where the petitioner and others assaulted her and the petitioner abused by saying that the daughter of ‘*Harijan*’ cannot become his daughter-in-law.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. He has



been falsely implicated in this case due to grudge. No such occurrence, in the manner as alleged, has ever taken place. The allegation leveled against the petitioner is not specific rather general and omnibus in nature. The specific allegation to forcibly kidnap and marry the minor daughter of the informant is against the son of the petitioner and he has been granted regular bail by the learned Court below itself. Petitioner has two criminal antecedent.

5. Learned counsel for the State opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case, since there is no specific allegation against the petitioner, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Arwal Mahila P.S. Case No.19/2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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