

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7558 of 2024

Arising Out of PS. Case No.-543 Year-2023 Thana- BAGHA District- West Champaran

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RAMESH CHAUDHARY S/O- INDRASEN CHAUDHARY @ INDERSEN
CHAUDHARY R/O- VILLAGE- SERAWA MASJIDWA, P.S.-
MATIARIYA, DIST.- WEST CHAMPARAN.

... .. Petitioner/s

Versus

THE STATE OF BIHAR, PATNA

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Prerna Anand, Advocate

For the Opposite Party/s : Mr.Akbar Ali, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 17-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection with Bagaha (Pathkhauli) P.S. Case No. 543 of 2023 registered under Section 365 of the Indian Penal Code lodged on 01.08.2023 by the informant, Bhuvneshwar Ray.

3. As per the prosecution story, the informant has alleged that his daughter went missing and later some calls came from different numbers but no communication was made which followed the FIR.

4. Learned counsel for the petitioner submits that the petitioner was having love affair with the girl, she went on her own and remained there for two months, later returned and



under coercion named this petitioner. He further submits that the occurrence is of 18.07.2023 and the FIR was lodged on 01.08.2023.

5. Learned APP for the State opposes the prayer for bail.

6. Taking into account the submissions put forward by the learned counsel for the parties as also that the girl is major, there is delay of almost two weeks in lodging the FIR, further as per the submissions, upon return the girl under Section 161 Cr.P.C. had narrated the same story of having gone with the petitioner, subsequently, she changed her statement under Section 164 of the Cr.P.C., do not have criminal antecedent, FIR lodged and he will have to face the trial, this Court is inclined to grant him privilege of bail.

7. Let the petitioner, in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned ACJM 1st Bagaha, West Champaran in connection with Bagaha P.S. Case No. 543 of 2023, subject to condition as laid down under Section 438(2) of the Cr.P.C.



(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her *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/her 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 his 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 the bail bonds.

(Rajiv Roy, J)

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