

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11746 of 2024

Arising Out of PS. Case No.-137 Year-2023 Thana- ITARHI District- Buxar

Markanday Chouhan @ Vikash Son of Late Bali Chouhan Resident of
Village- Nadaon, P.S.- Buxar (Muffasil), District- Buxar

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar Roy

For the Opposite Party/s : Mr.Mithlesh Kumar Khare

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

4 10-05-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Itarhi P.S. Case No. 137 of 2023 dated 26.05.2023 registered for the offences punishable under Sections 363, 366A, 370, 372, 120B and 420 of the Indian Penal Code and 8 of the POCSO Act.

3. As per the prosecution case, two unknown miscreants are alleged to have kidnapped the minor daughter of the informant by enticing her for the purpose of selling.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. The petitioner is not named in the F.I.R. The



name of the petitioner has sprung up in the confessional statement of the co-accused, Rakesh Kumar. The victim in her statement recorded under Section 164 of the Cr.P.C. has not stated the name of the petitioner. Learned counsel has further submitted that the victim was not forced to have illicit relationship with another person. The co-accused person has already been granted regular bail vide order dated 16.08.2023 passed in Cr. Misc. No. 48869 of 2023. The petitioner has two criminal antecedents and he is on bail in both the cases as stated in para 3 of the bail petition. The petitioner is in custody since 13.12.2023.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Buxar in connection with Itarhi P.S. Case No. 137 of 2023.

7. The application stands allowed.

(Chandra Prakash Singh, J)

Gautam/-

U		T	
---	--	---	--

