

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14234 of 2024

Arising Out of PS. Case No.-51 Year-2023 Thana- UPHARA District- Aurangabad

Manoj Chaudhary, Male, aged about 30 years, Son of Satyanarayan Chaudhary, Resident of Village- Hamid Nagar, P.S.- Uphara, District- Aurangabad (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Surendra Prasad Singh,, Advocate

For the Opposite Party/s : Mr. Narendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

2 04-03-2024 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Uphara PS Case No. 51 of 2023 instituted for the offences punishable under Sections 341,323,504,354A,363/34 of the Indian Penal Code and Section 8 of the POSCO Act.

3. As per the prosecution case, petitioner and other co-accused persons pulled the victim with an intention to molest her and kidnapped her to assault and kill the victim.

4. Learned counsel for the petitioner submits that the petitioner is innocent has committed no offence and has falsely been implicated in this case. Petitioner and informant are *Gotiyas* and he is the cousin brother of the victim. Petitioner has



got no criminal antecedent. Petitioner is in custody since 02.10.2023.

5. Learned APP opposes the prayer for bail.

6. From perusal of the FIR and impugned order of the learned Additional Sessions Judge-VIth-cum-Exclusive Special Judge, POCSO Act, Aurangabad, Bihar dated 13.12.2023, it appears that petitioner is named in the FIR. Petitioner is the *Gotiya* of the informant and he has stated that the victim is cousin sister of the petitioner and there is no any sexual assault upon the victim, accordingly the prayer for bail of the petitioner is allowed. Let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Session Judge-VI-cum-Exclusive Special POSCO Act, Aurangabad, Bihar in connection with Uphara PS Case No. 51 of 2023.

(Ramesh Chand Malviya, J)

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