

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20205 of 2024

Arising Out of PS. Case No.-729 Year-2023 Thana- PURNEA SADAR District- Purnia

BISHNU CHOUDHARY @ VISHNU CHOUDHARY SON OF SHAMBHU
CHOUDHARY R/O-AKONA, P.S.-MANSAHI, DISTT.-KATIHAR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sushant Praveer, Advocate

For the Opposite Party/s : Mr.Tarkeshwar Nath Thakur, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 09-05-2024 Heard learned counsel for the petitioner, learned APP
for the State and perused the case diary.

2. The petitioner seeks bail in connection with Sadar
Muffasil P.S. case No. 729 of 2023 instituted for the offences
under Sections 365 and 366 of the Indian Penal Code.

3. Prosecution case, in short, is that when the
informant's daughter had gone to attend nature's call, this
petitioner along with other persons forcibly took the petitioner
on his motorcycle and fled away.

4. Learned counsel for the petitioner submitted that the



petitioner has falsely been implicated in the present case. Learned counsel further submitted that there was love affair between the informant's daughter and this petitioner and informant's daughter left her house on her own sweet will. Learned counsel further submitted that victim in her statement recorded under Section 164 of the Cr.P.C. has not whispered anything about the sexual assault. Further, it is submitted by the learned counsel that as per medical report, there is no sign of sexual assault and pregnancy test has been found negative. It has been submitted on behalf of the petitioner that the petitioner is in custody since 16.11.2023 and has no criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, statement recorded under Section 164 of the Cr.P.C. and medical evidence as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail, ***after framing of charge, if not already framed***, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in



connection with Sadar Muffasil P.S. case No. 729 of 2023.

(Rudra Prakash Mishra, J)

Alok Verma/-

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

