

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20909 of 2024

Arising Out of PS. Case No.-10 Year-2024 Thana- ARA NAWADA District- Bhojpur

1. Anil Chaudhary @ Anil Chaudhari S/O Sriram Chaudhary @ Shriram Chaudhari R/O Vill - Dumri, Ward No. 2, P.S. - Simri, Distt. - Buxar
2. Pradip Chaudhari @ Pradeep Kumar Chaudhary S/O Ramnath Chaudhari @ Ram Nath Chaudhary R/O Vill - Dumri, Ward No. 2, P.S. - Simri, Distt. - Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Arvind Kumar Pradhan, Advocate
For the State	:	Mr. Kumar Ranjit Ranjan, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 04-04-2024 Heard Mr. Arvind Kumar Pradhan, learned counsel
for the petitioners and Mr. Kumar Ranjit Ranjan, learned
Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Arrah Nawada P.S. Case No. 10 of 2024, F.I.R. dated 05.01.2024 for the offences punishable under Sections 363, 366(A) of the Indian Penal Code.

3. According to prosecution case, petitioners along with other co-accused persons are said to have abducted the daughter of the informant.

4. Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been implicated in the present case. He further submits that the



allegation as alleged is false and fabricated and the petitioners have not committed any offence as alleged in the FIR. He further submits that the co-accused person, namely, Chandan Sonu against whom the main allegation in the FIR that he has abducted the daughter of the informant has been granted regular bail by the learned Court below itself. He further submits that the statement of the victim was recorded under Section 164 Cr.P.C. in which she has stated that she has gone out of her house with her own sweet will and he has not stated anything about the anyone in her statement.

5. Learned Additional Public Prosecutor for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioners.

6. Considering the aforesaid facts, the petitioners having clean antecedent and victim has not supported the case of the prosecution in her statement recorded under Section 164 Cr.P.C., let the petitioners, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bhojpur, Arrah in connection



with Arrah Nawada P.S. Case No. 10 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-

i. Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bonds of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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