

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24071 of 2024

Arising Out of PS. Case No.-105 Year-2023 Thana- THAKRAHA District- West Champaran

Vishal Choudhary SON OF Jitendra Choudhary Resident Of Village- Malahi
Tola, Ps- Thakraha, Dist- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Shrivastava, Advocate

For the Opposite Party/s : Mr. Uday Chand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 01-05-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

02. In the present case, the petitioner is apprehending his arrest in connection with Thakraha P.S. Case No. 105 of 2023, registered for the alleged offence under Sections 363, 366(A), 506/34 of the Indian Penal Code.

03. As per prosecution case, the niece of the informant went missing and on subsequent inquiry, the informant came to now about the petitioner, who took away his minor niece giving inducement. Further allegation against the co-accused persons is that they helped in elopement of niece of the informant.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The victim girl returned and she recorded her statement



under Section 161 Cr.P.C. wherein she stated that she herself went to Lucknow to meet the petitioner where the petitioner has been studying but as she did not meet the petitioner in Lucknow, she returned on 04.12.2023 where she came to know that her maternal uncle has lodged the FIR. Learned counsel further submits that the victim girl admitted her love affair with the petitioner. Thus, from the statement of the victim girl, it is evident that there is no role of the petitioner in the whole occurrence and he has been made accused in this case merely on suspicion. The petitioner is a student and he has got no criminal antecedent.

05. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

06. Having regard to the facts and circumstances and submission made on behalf of the parties and considering the fact about victim girl completely absolving the petitioner from any wrong doing, let the petitioner above named, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-VII-cum-



Special Judge (POCSO), West Champaran, Bettiah/concerned court in connection with Thakraha P.S. Case No. 105 of 2023, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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