

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26703 of 2024

Arising Out of PS. Case No.-255 Year-2022 Thana- DHANAHA District- West Champaran

Niranjan Chaudhary @Niranjan Kumar Sahni SON OF LATE BUDHU
CHAUDHARY @ BUDHU SAHNI RESIDENT OF VILLAGE- DEVIPUR
BAZAR, PS- DHANAHA, DIST- WEST CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prithvi Nath Mishra, Advocate

For the Opposite Party/s : Mr.Umeshanand Pandit, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 26-07-2024 Heard the parties.

2. The petitioner is in judicial custody in connection with Dhanaha P.S. Case No. 255 of 2022 for the offence punishable under Sections 363, 366A and 34 of the Indian Penal Code and section 8 of POCSO Act lodged on 21.10.2022 by the informant,Najbun Nisha.

3. As per the prosecution story, the informant alleged that when she woke up, her daughter was missing and later it came to light that this petitioner and family members are behind it. Accordingly, the FIR.

4. The victim girl later returned and her statement under section 164 of the Cr.P.C. was recorded, according to which, she is 19 years old, have married, living together and is



blessed with a child.

5. The victim girl is also represented through a lawyer.

6. In that background and considering the fact that the petitioner do not have criminal antecedent and is in custody since 17.1.2024 (para-11 of the petition), this Court is inclined to extend him the privilege of bail with conditions.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Additional District and Sessions Judge-VII cum Special Judge, (POCSO), West Champaran at Bettiah, in connection with Dhanaha P.S. Case No. 255 of 2022 subject to the following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences,



failing which the State shall be at liberty to take steps for
cancellation of the bail bonds;

(iv) the petitioner shall desist from committing any
criminal offence again, failing which the State shall be at liberty
to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

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