

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28961 of 2024

Arising Out of PS. Case No.-30 Year-2023 Thana- CHAUTHAM District- Khagaria

Raushan Kumar Chaudhary @ Raushan Kumar son of Suresh Choudhary
Village- Chautham Dih Tola Ps- Chautham Dist- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Priyanshu Ranjan, Adv

For the Opposite Party/s : Mr.Anand Kishore Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

3 02-08-2024 Heard the parties.

2. Petitioner apprehends his arrest in connection with Chautham P.S. Case No. 30 of 2023 registered for the offence punishable under Section 366A read with section 34 of the Indian Penal Code.

3. Learned counsel for the petitioner submits that petitioner is a young boy aged about 22 years, in fact, the informant was willing to marry her daughter with this petitioner and when she did not succeed, she fabricated a false story against the petitioner and his family members which clearly appears from this fact that as per the prosecution story, the victim went missing on 18.12.2022, when she went outside to attend the call of nature but the FIR was registered on 01.02.2023 without giving any explanation regarding such long



delay. It is further submitted that the so called victim herself returned back and she is not stated to have been recovered from the possession or captivity of the petitioner. It is further submitted that the petitioner has clean antecedent and two co-accused persons, who happen to be parents of this petitioner and named in the FIR have been granted bail by this Court.

4. Learned A.P.P vehemently opposed the bail prayer and submitted that the so called victim made specific allegation against the petitioner before the judicial Magistrate under section 164 of the Cr.P.C.

5. Having regard to the above submissions and mainly considering the facts that an inordinate delay of 1 ½ months took place in registering the FIR on the part of the informant despite the alleged disappearance of the victim having come in the knowledge of the victim's family immediately and it is not the case of the prosecution that the recovery of the victim was made from the captivity of the petitioner, who is said to be a young boy having fair antecedent and there is also no submission on part of the prosecution as to confinement of the victim by the petitioner, in my opinion, it is a fit case for anticipatory bail to the petitioner, as such, let the petitioner named-above, in the event of his arrest or surrender before the



learned court below within a period of six weeks from today, be released on anticipatory bail in connection with Chautham P.S. Case No. 30 of 2023 on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned subject to the conditions laid down under section 438 (2) of the Cr.P.C.

(Shailendra Singh, J)

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