

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35246 of 2024

Arising Out of PS. Case No.-5 Year-2024 Thana- MAHILA P.S. District- Kaimur (Bhabua)

Vinod Chaudhary, aged about 25 years, Gender-Male, Son of Ayodhya Chaudhary, Resident of Village- Panduri, P.S.- Nashriganj, District- Rohtas, Sasaram.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Parwej Khan, Advocate

For the Opposite Party/s : Mr. Pradeep Narain Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

3 05-08-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Mahila P.S. Case No. 05 of 2024 instituted for the offences punishable under Sections 363, 366(A) of the Indian Penal Code.

3. As per the prosecution case, the accused persons / petitioner kidnapped the daughter of the informant.

4. Learned counsel for the petitioner submits that the petitioner is innocent has committed no offence and has falsely been implicated in this case. He further submits that the name of of the petitioner has been dragged in this case by the informant



on the statement of one Satendra Chaudhary. He next submits that the occurrence took place on 23.01.2024, but the FIR has been lodged on 26.01.2024, after a delay of almost about three days but there is no any plausible explanation of delay in this regard. Chargesheet has already been submitted in this case as stated by learned counsel for the petitioner. Petitioner has got clean antecedent as stated in para 3 of the petition is in custody since 29.01.2024.

5. Learned APP opposes the prayer for bail.

6. From perusal of the FIR, case diary, statement of the victim recorded under Section 164 of the Cr.P.C. and the impugned order of the learned Additional Sessions Judge-3rd Kaimur at Bhabua vide order dated 22.03.2024, it appears that petitioner is named in the FIR and his name dragged in this case by the informant only on the statement of one Satendra Chaudhary during the course of investigation. From perusal of the records, it appears that the victim in her statement recorded under Section 164 of the Cr.P.C. that she voluntarily went with the petitioner from her own free will and no allegation was made by her of any sexual assault against the petitioner, accordingly the prayer for bail of the petitioner is allowed. Let the petitioner above named be released on bail on furnishing



bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Kaimur at Bhabua in connection with Mahila P.S. Case No. 05 of 2024.

(Ramesh Chand Malviya, J)

Anand Kr.

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

