

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43589 of 2024

Arising Out of PS. Case No.-479 Year-2023 Thana- KHIJARSARAI District- Gaya

Umeshi Chaudhary S/o Late Balkisun Chaudhary R/o VILLAGE-PACHAI,
P.S.- KHIZERSARAI, DISTT.-GAYA

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prithivi Raj Singh, Adv.

For the Opposite Party/s : Mr.Bishweshwar Ram, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 03-07-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Khizersarai P.S. Case No. 479 of 2023 dated 20.12.2023 registered for the offences punishable u/ss 363, 366A read with Section 34 of the Indian Penal Code.

3. As per the prosecution case, the co-accused, Mukesh Kumar is alleged to have kidnapped the minor daughter of the informant for the purpose of marriage. It is further alleged that when the informant went to the house of petitioner then the petitioner and the other co-accused persons abused and assaulted the informant.



4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The occurrence took place on 09.12.2023 but the F.I.R. was lodged on 20.12.2023 and there is no explanation for this delay. It is further submitted that the petitioner is made accused in this case only because he is the father of the co-accused, Mukesh Kumar. The charge-sheet has been submitted in this case. Learned counsel has further submitted that the petitioner has no concern with the alleged offence. Learned counsel has further submitted that there is nothing on record which shows that the victim was forced to have illicit intercourse with another person. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 04.01.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Gaya in connection with Khizersarai P.S. Case No.



479 of 2023.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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