

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48134 of 2024

Arising Out of PS. Case No.-205 Year-2023 Thana- AURAI District- Muzaffarpur

Kaushal Kumar Son of Harishankar Chaudhary R/O Vill.- Ratwara, P.S.-
Aurai, Dist.- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Pranav Kumar, Advocate
	:	Mr. Rajeev Ranjan No. II, Advocate
For the Opposite Party/s	:	Mr. Binod Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 18-09-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with S.Tr.
No. 158 of 2024 arising out of Aurai P.S. Case No. 205 of 2023
instituted for the offences under Sections 341, 323, 312, 313,
363, 366, 376, 506, 34 of the Indian Penal Code.

3. Prosecution case, in short, is that this petitioner
along with other accused persons kidnapped the victim and this
petitioner made physical relations with her on the pretext of
marriage.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case.
Learned counsel further submitted that the allegations levelled



against the petitioner are false and concocted, in fact, the petitioner and victim were in love with each other and have already solemnized marriage. Learned counsel further contended that it was under the pressure of her parents that the victim lodged false case against this petitioner as her family members were not ready for the marriage because the petitioner belongs to different caste. Learned counsel further submitted that there are many contradictions in the version of FIR and the statements of the victim recorded under Sections 161 and 164 of the Cr.P.C. It has been submitted on behalf of the petitioner that the petitioner is in custody since 31.01.2024 and has no criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and the contradictions in the statement of the victim recorded under Sections 161 and 164 of the Cr.P.C. as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner 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 Court



below/concerned Court in connection with S.Tr. No. 158 of
2024 arising out of Aurai P.S. Case No. 205 of 2023.

(Rudra Prakash Mishra, J)

Alok Verma/-

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