

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46058 of 2024

Arising Out of PS. Case No.-132 Year-2023 Thana- AGIAON BAZAR District- Bhojpur

Vikash Chaudhary Son of Dewan Choudhary @ Devanand Chaudhri R/O
Village - Gopalpur, P.S.- Nokha, Dist.- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amarendra Kumar, Advocate

For the Opposite Party/s : Mr. Murli Dhar, APP

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

ORAL ORDER

3 25-09-2024 Heard learned counsel for the petitioner, learned APP
for the State and perused the case diary.

2. The petitioner seeks bail in connection with Agiaon
Bazar P.S. Case No. 132 of 2023 instituted for the offences
under Sections 363, 365, 504, 506 of the Indian Penal Code.

3. Prosecution case, in short, is that, the petitioner
lured the informant's minor daughter and took her away with
bad intentions.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case. The
name of the petitioner transpired in this case on the basis of
suspicion. Learned counsel further submitted that there is a
delay of more than a month in lodging the FIR without plausible



explanation, which in itself, raises doubt over the prosecution story. Learned counsel further submitted that the allegation levelled against the petitioner are false and concocted. Learned counsel further submitted that petitioner is the relative of the informant and the victim girl is mentally unsound. Learned counsel further submitted that, initially, the informant on the basis of suspicion lodged the FIR but when the informant came to know about the innocence of the petitioner, he filed a petition duly signed by both the parties before the learned Court that both parties did not want to pursue their case. Charge-sheet has been submitted in this case. It has been submitted on behalf of the petitioner that the petitioner is in custody since 31.10.2023 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 and submitted that victim has not been recovered till date.

6. Considering the aforesaid facts and circumstances of the case, clean antecedent 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 Agiaon Bazar P.S. Case No. 132 of 2023, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(III) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Rudra Prakash Mishra, J)

Alok Verma/-

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