

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60320 of 2024**

Arising Out of PS. Case No.-156 Year-2024 Thana- BELDOUR District- Khagaria

Pramod Chaudhary, S/o Jogi Chaudhary, R/o Village-Pachaut, P.S-Beldaur,
Dist- Khagaria (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Singh, Advocate
For the Opposite Party/s : Mr. Satyendra Narayan Singh, APP

**CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER**

3 26-10-2024 Heard learned Advocate appearing on behalf of the

petitioner and the learned Additional Public Prosecutor for the

State.

2. The application for grant of bail to the petitioner
who is in custody in connection with Beldaur P.S. Case No. 156
of 2024, G.R. No. 1448 of 2024 registered for the offence
punishable under Sections 366(A) of the Indian Penal Code.

3. Based upon the written report the prosecution
alleges that co-accused Jitendra Kumar with the help of this
petitioner and others abducted the minor sister of the informant.

4. Learned Advocate appearing on behalf of the
petitioner contended that the alleged occurrence took place on
11.05.2024 but surprisingly the FIR has been instituted on
17.05.2024, after a delay of six days but without any



explanation. It is further contended that the date of birth of the victim, as has been recorded in Aadhar Card is 05.01.2005 and thus, on the alleged date of occurrence she was a major, aged about 19 years 4 months. It is further contended that in fact the victim was in love with co-accused Jitendra Kumar and they solemnized marriage and fled away somewhere but, only on account of the petitioner being friend of co-accused Jitendra Kumar, his name has been implicated in this case. Now the petitioner has been incarcerated since 07.06.2024.

5. On the other hand, learned Additional Public Prosecutor for the State vehemently opposes the bail application and submits that the petitioner has played active role in kidnapping the minor sister of the informant.

6. Regard being had to the submissions made on behalf of the parties and considering the nature of the allegation and the delay in lodging of the FIR, coupled with the fact that the investigation of the crime is complete and the chargesheet has been submitted, let the petitioner, named above, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Khagaria in connection with Beldaur P.S. Case No. 156 of 2024, subject to



the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(v) The court below shall verify the criminal antecedent of the petitioner and in case, at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take immediate step for cancelling the bail bond of the petitioner. However, the acceptance of bail bonds, in terms of the above-mentioned order, shall not be delayed for this purpose or in the name of verification.

(Harish Kumar, J)

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