

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65884 of 2024

Arising Out of PS. Case No.-177 Year-2024 Thana- TARAPUR District- Munger

Rohit Kumar Choudhary @ Rohit Kumar S/O Modi Chaudhary R/O Village-
Makwa, P.S- Asarganj, Distt.- Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashi Saurabh, Adv.

For the Opposite Party/s : Mr. Gauri Shankar Gupta, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 06-12-2024 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 Tarapur P.S. Case No. 177 of 2024 dated 14.07.2024 registered for the offences punishable u/ss 87, 351(2), 3(5) of the B.N.S.S. Act.

3. As per the F.I.R., the allegation against the petitioner is that he kidnapped the minor daughter of the informant on the pretext of marriage.

4. It is submitted by learned counsel for the petitioner that the petitioner is innocent and has falsely been implicated in this case due to ulterior motive. He submitted that the victim in her statement recorded u/s 183 of the B.N.S.S/164 of the Cr.P.C. has not supported the prosecution case and she has already



solemnized marriage with the petitioner with her own sweet will. The petitioner has no criminal antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 20.07.2024.

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, the statement of the victim recorded u/s 183 of the B.N.S.S/164 of the Cr.P.C as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending/successor Court in connection with Tarapur P.S. Case No. 177 of 2024, with the condition/s:-

(i) One of the bailors will be own close relatives of the petitioner who will give an affidavit genealogy as to how he is relative to petitioner. The bailor will also undertake to inform the court if there is any change in the address of the petitioner.

(ii) The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present



case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

(iii) The petitioner shall remain physically present in the court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

(iv) The petitioner shall co-operate with the investigation, if not already concluded and make himself available and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(v) The petitioner shall appear before the Police Station of his local area in the first week of each month till the disposal of the present case.

(Anjani Kumar Sharan, J)

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