

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.77043 of 2023**

Arising Out of PS. Case No.-79 Year-2022 Thana- GOPALPUR District- West Champaran

Pradeep Kumar @ Pradeep Chaudhary Son of Pathal Chaudhary Resident of  
village - Maheshara Malahi Tola, Police Station - Gopalpur, District - West  
Champaran

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Anant Kumar Mishra, Advocate  
For the Opposite Party/s : Mr. Zainul Abedin, A.P.P.

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

ORAL ORDER

2      03-01-2024      Learned counsel for the petitioner is permitted to  
remove the defect(s), as pointed out by the office, if any,  
within a period of three weeks from today.

2. Heard learned counsel for the petitioner and  
learned Additional Public Prosecutor for the State.

3. The petitioner is apprehending his arrest in  
connection with Gopalpur P.S Case No. 79 of 2022 dated  
08.06.2022 registered for the offence punishable u/s 363  
and 366 of the I.P.C and 8/12 of the POCSO Act.

4. As per the prosecution case, the petitioner and  
the co-accused persons are alleged to have kidnapped the  
minor daughter of the informant.



5. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. There was love affair between the petitioner and the victim. The victim in her statement recorded under Section 164 Cr.P.C. has stated that she went to her aunt house and her mother has lodged this F.I.R. in confusion and she denied the factum of kidnapping. The learned counsel further submitted that the victim was not forced to have illicit intercourse with another person. It is further submitted that there is delay of 10 a days in lodging the F.I.R. without any explanation. The petitioner has no criminal antecedent as stated in para 3 of the bail petition.

6. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner.

7. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Bettiah, West



Champan, in connection with Gopalpur P.S Case No. 79  
of 2022, subject to conditions as laid down under section  
438(2) of the Code of Criminal Procedure.

8. The application stands allowed.

**(Chandra Prakash Singh, J)**

Nilmani/-

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