

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83166 of 2023

Arising Out of PS. Case No.-398 Year-2022 Thana- SONEPUR District- Saran

Vijay Rai @ Vijay Chaudhary Son Of Parveshi Rai @ Ram Pravesh
Chaudhary @ Parveshi Chaudhary Resident Of Village - Bidupur Manjhauli,
P.S. - Bidupur, District – Vaishali Petitioner/s

Versus

THE STATE OF BIHAR Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok

For the Opposite Party/s : Mr. Vinod Shanker Modi

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 02-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for regular bail has been filed
by the petitioner registered for the offence punishable under
Sections 369, 366A/34 of the Indian Penal Code.

Prosecution case relates to abduction of minor
daughter of the informant by the accused persons while she had
gone to purchase clothes.

Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has committed no
offence. FIR has been lodged after a delay of 12 days. In fact,
informant had taken a loan of Rs. Fifty thousand from the
petitioner in year 2020 and only with a view to grab the amount,
he has been dragged in the present case. Daughter of the
informant was in love with co-accused Sunil Rai and she herself



eloped with him and solemnized marriage and both were presently residing as husband and wife. Victim was medically examined and her age was assessed between 18 to 20 years by the doctor. Statement of the victim girl was recorded u/s 164 Cr.P.C. in which she has not raised any finger against the petitioner for any overt act. Similarly situated other accused person has already been enlarged on bail by this Court vide order dated 8.9.2023 passed in Cr. Misc. No. 58701 of 2023. Petitioner is languishing in judicial custody since 18.6.2023.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Special Judge, POCSO Act, Saran at Chapra in connection with Sonapur P.S. Case No. 398 of 2022.

(Sunil Kumar Panwar, J)

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