

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18639 of 2025

Arising Out of PS. Case No.-948 Year-2024 Thana- BHABHUA District- Kaimur (Bhabua)

Chhotan Chauhan S/o- Madan Nonia Resident of Village- Bhabua Ward No.
21, P.S.- Bhabua, District- Kaimur at Bhabua

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rajeshwar Singh R/o- Shivaji Nagar Ps- Bhabua Dist- Kaimur

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Uday Pratap Singh
For the Opposite Party/s : Mr.Shailendra Kumar

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

ORAL ORDER

2 23-04-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Bhabua P.S. Case No. 948 of 2024 dated 28.11.2024 registered for the offences punishable under Section 96 read with Section 3(5) of B.N.S. and Section 8/12 of POCSO Act.

3. As per the prosecution case, the petitioner and the co-accused person are alleged to have kidnapped the minor daughter of the informant by injecting drug in her neck.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in



this case. Nothing has been recovered from the possession of the petitioner. Learned counsel has further submitted that there is nothing on record which shows that the victim was forced/seduced to have illicit intercourse with another person. The charge-sheet has been submitted against the petitioner. The petitioner has no concern with the alleged offence. The petitioner has one criminal antecedent in which he is on bail as stated in para 3 of the bail petition. The petitioner is in custody since 29.11.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner by submitting that the victim is a minor girl and in her statement recorded under Section 180 and 183 of B.N.S.S. has corroborated the allegations levelled against the petitioner and the co-accused person.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Kaimur at Bhabua in connection with Bhabua P.S. Case No. 948 of 2024, with the condition:-



(i) The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner are liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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