

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68041 of 2024

Arising Out of PS. Case No.-490 Year-2023 Thana- DINARA District- Rohtas

Indal Chaudhary Son of Janardan Choudhary Resident of Village -
Chamaraha Tola, P.S. - Dinara, District - Rohtas

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sadanand Roy

For the Opposite Party/s : Mrs. Sharda Kumari

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

ORAL ORDER

7 03-07-2025 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner seeks bail in connection with
Dinara P.S. Case No. 490 of 2023 dated 04.10.2023
registered for the offences punishable under Sections 363
and 366 of the I.P.C.

3. As per the prosecution case, on 30.09.2023, the
co-accused Munni Devi took the daughter of the informant,
namely, Sita Kumari, with her after saying that they would
return very soon. It is further alleged that when she did not
return at evening, he went to the house of the co-accused,
Munni Devi to search for her then the co-accused Munni



Devi told him that his daughter went away much earlier but she did not return. It is further alleged that the informant received an information from his distant relative that his daughter had called him for two times on Mobile No. 8084367958 and the same Mobile No. 8084367958 belongs to the co-villager of the informant, namely, Indal Chaudhary (petitioner), and his daughter is at his home. When the informant went to the house of his co-villager, Indal Chaudhary (petitioner), he abused him and drove out from there.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in the present case. It is further submitted that there is land dispute between the parties. It is further submitted that the alleged occurrence took place on 30.09.2023 and the F.I.R. has been lodged on 04.10.2023 and the delay in lodging the F.I.R. has not been explained by the prosecution. It is further submitted that no one has seen the alleged occurrence. It is further submitted that as a matter of the fact that there was love affair between the victim girl and the petitioner Indal Chaudhary. The victim



was adult girl and it is not possible for any one to take her away. It is further submitted that after the statements of the victim have been recorded under Sections 161 and 164 of the Cr.P.C. and has falsely implicated the petitioner in the present case. The victim has not raised any alarm while she was being taken to Jodhpur by train. There is no direct allegation against the petitioner to provoke the victim to commit suicide. It is further submitted that during the course of investigation not a single witness has said about the involvement of the petitioner in the alleged offence. The petitioner has one criminal antecedent as stated in paragraph no. 3 of the bail application. The petitioner is in custody in this case since 04.06.2024.

5. Learned A.P.P. for the State has vehemently opposed the prayer for bail petition of the petitioner.

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, Bikramganj,



Rohtas in connection with Dinara P.S. Case No. 490 of 2023, with the condition/s:-

(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 bond of the petitioner is liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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