

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75287 of 2025

Arising Out of PS. Case No.-367 Year-2023 Thana- AMAS District- Gaya

Mohan Chaudhary @ Subhash Chaudhary @ Subhash Kumar S/O late Fantu
Yadav Resident Of Village- Mahadev Bigha, Pura, P.s.- Tekari, Dist- Gaya

... .. Petitioner/s

Versus

1. The State of Bihar
2. Nagendra Chaudhary S/o Kameshwar Chaudhary R/o Vill. Jhari, P.S.- Amas,
Dist.- Gaya.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Kishun Prasad, Advocate

For the Opposite Party/s : Mr. Pranav Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 13-01-2026 Heard Mr. Ram Kishun Prasad, learned counsel for
the petitioner and Mr. Pranav Kumar, learned APP for the State.

2. The petitioner has prayed for bail in connection
with Amas P.S. Case No. 367 of 2023 registered for the offence
punishable under Sections 363 and 366(A) of the Indian Penal
Code.

3. The case of the prosecution in short is that the
minor daughter of the informant was kidnapped by the
petitioner for the purpose of marriage.

4. Learned counsel appearing on behalf of the
petitioner has submitted that petitioner is innocent and has
committed no offence. He has been falsely implicated in this



case. Learned counsel for the petitioner submits that during the course of investigation, the victim was recovered, and she has given her statement recorded under Section 164 of the Cr.P.C., wherein she has stated that she has gone to Aurangabad fair, and from there, she went to her grandmother's home, which is in Daudnagar. When she was returning from Daudnagar, Mohan Chaudhary (the petitioner) met her in a bus and told her to board his vehicle and took her to Patna. She was kept in a room for sixteen days where the petitioner was living alone. The victim has further stated that the petitioner has teased her but has not established a physical relationship with her, and she has clarified the teasing and has stated that he has touched her above the clothes. He also submits that in medical examination, the age of the victim was found to be 19 years, and the victim herself has stated that the petitioner was her boyfriend. Specifically, there is no allegation of any sexual assault. He further submits that a statement has been made in para 3 of the petition that petitioner has no criminal antecedent and he is languishing in judicial custody since 28.07.2025.

5. The application for bail is opposed by learned APP for the State.

6. 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 Judicial Magistrate, 1st Class, Gaya Ji in connection with Regular Bail Application Special Act No. 2925 of 2025 arising out of Amas P.S. Case No. 367 of 2023.

(Ashok Kumar Pandey, J)

Sudhanshu/-

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