

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.15029 of 2016

Arising Out of PS.Case No. -534 Year- 2015 Thana -BARH District- PATNA

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1. Nitish Kumar son of Nand Kishore Rai resident of Village- Turki, P.S. Kurrani (Turki O.P.), Distt- Muzaffarpur..... Petitioner

Versus

1. The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Santosh Kumar Singh

For the Opposite Party/s : Mr. A.A.Khan (App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

3 17-05-2016 Heard learned counsel for the petitioner and learned APP for the Sate.

The petitioner seeks bail in connection with Barh P.S. Case No. 534 of 2015 registered for the offences punishable under Sections 363, 365, 506/34 of the Indian Penal Code.

Allegedly, Komal Kumari aged 12 years the daughter of the informant was kidnapped by FIR named accused Nitish Kumar son of Chandrashekhar Yadav with aid and assistance of his father and mother. During investigation the name of the petitioner transpired in confessional statement of another Nitish Kumar son of Sharwan Yadav. The victim has also been examined under Section 164 Cr.P.C. wherein she has taken the names of two Nitish but she has specifically stated that no overt act was committed against her.

Learned APP opposes the prayer of bail.

In the facts and circumstances stated above, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M., Barh in connection with Barh P.S. Case No. 534 of 2015, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

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(Jitendra Mohan Sharma, J)

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