

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7820 of 2018

Arising Out of PS.Case No. -283 Year- 2017 Thana -GAUTAMBUDHNAGAR District- SIWAN
=====

1. Nitish Kumar, Son of Rama Shankar Singh,
2. Dipu Kumar @ Dipu Kumar Singh, Son of Rama Shankar Singh, Both
resident of Village- Bhelpur, P.S.- G.B. Nagar, District- Siwan.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s
=====

Appearance :

For the Petitioner/s : Mr. Surendra Kishore Thakur

For the Opposite Party/s : Mr. Ram Priya Saran Singh
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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

2 17-02-2018 Heard the learned counsel for the petitioners as well as
the learned A.P.P. for the State.

In this application for anticipatory bail the petitioners apprehend their arrest in connection with G.B. Nagar P.S. Case No. 283 of 2017 for the offences punishable under sections 363 and 366 (A) of the I.P.C.

Allegedly, petitioner Nitish Kumar kidnapped the sister of the informant and when the informant asked from the family members of Nitish Kumar the petitioner Dipu Kumar @ Dipu Kumar Singh and others abused the informant and became adamant to assault him. During investigation the statement of the victim has been recorded under section 164 of the Cr.P.C. wherein she has supported the allegation of kidnapping but has stated that



she loves Nitish Kumar and she wants to marry with him and further they have not developed physical relationship with her.

Submission is of false implication and that no offence under section 366 (A) of the I.P.C. is made out, the victim girl went out on her own sweet will, she is major which is evident from the FIR itself, the victim has admitted that she is in love with Nitish Kumar and she wants to marry with him and they have not done wrong act with her and as such the petitioners deserve sympathetic consideration.

The learned A.P.P. fairly submits that though the victim has supported the allegation of kidnapping but she has stated that she loves Nitish Kumar.

In the facts and circumstances stated above, the petitioners, in case of their arrest or surrender within a period of four weeks from the date of receipt/production of a copy of this order, shall be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of C.J.M, Siwan in connection with the aforementioned case, subject to the condition as laid down under section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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