

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11470 of 2019

Arising Out of PS. Case No.-360 Year-2018 Thana- GOGRI District- Khagaria

NIRAJ KUMAR, Son of Manohar Singh, resident of Village- Choti Maira,
P.S.- Gogri, District- Khagaria.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bharat Bhushan, Advocate.

For the Opposite Party/s : Mr. Umanath Mishra, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 26-02-2019 Heard learned counsel for the petitioner and the

State.

The petitioner seeks bail in **Gogri P.S. Case No. 360 of 2018**, instituted for the offence under Section(s) 366(A) of Indian Penal Code.

It is alleged in the written report that granddaughter of the informant namely, Priti Kumari, aged about 16 years has been kidnapped by this petitioner for the purpose of performing marriage with her.

Counsel for the petitioner submits that occurrence is said to have taken place on 19.10.2018 and First Information Report has been lodged on 26.10.2018 after delay of seven days. He further submits that after lodging First Information Report, the petitioner has been arrested by the Police on 1.11.2018 from



his house at 6:30 morning. The victim girl was not recovered from the house of the petitioner. She has been recovered on 15.11.2018 from Maheshkhut Bus Stand. Thereafter, statement of victim girl has been recorded under Section 164 Cr. P.C. In her statement she has not levelled any allegation against the petitioner.

In the impugned order the Sessions Judge has mentioned that in the statement of victim girl recorded under Section 164 Cr. P.C. she has stated that petitioner enticed her to marry and took her to Naugachhiya and he left her there. As such, from her statement it appears that she had gone to Naugachhia, whereas the petitioner has been arrested from his house on 1.11.2018.

Petitioner is in custody since 1.11.2018 having clean antecedent.

Considering the aforesaid facts and circumstances of the case, prayer of the petitioner for grant of bail is allowed. Let the petitioner above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of **Miss Simmi Kujur, learned Judicial Magistrate 1st Class, Khagaria**, in connection with **Gogri P.S. Case No. 360 of**



2018, subject to the condition that both the bailors will be close relatives of the petitioner.

(Sanjay Priya, J)

S.Ali/-

U		T	
---	--	---	--

