

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45301 of 2019**

Arising Out of PS. Case No.-71 Year-2019 Thana- UJIYARPUR District- Samastipur

NILMANI KUMAR @ NEEL MANI KUMAR Son of Sitaram Singh
Resident of Village- Chandchour Bajidpur, P.S.- Ujiyarpur, District-
Samastipur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhay Shankar Singh

For the Opposite Party/s : Mr.Mohammed Arif

**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN
SINGH**

ORAL ORDER

3 24-07-2019 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Ujiyarpur P.S. Case NO. 71 of 2019, disclosing offences under Sections 366,366A/34 of the Indian Penal Code.

The petitioner, as per the case of the prosecution, was teaching at the relevant point of time, in a Coaching Centre, where the victim and two other persons named in the First Information Report were studying. It is alleged in the First Information Report that the informant's daughter was kidnapped by inducement. The statement of the victim has been recorded under Section 164 of the Code of Criminal Procedure, in which he is said to have alleged that the petitioner had forced her to go with the other two co-accused persons in a motorcycle.

Learned counsel for the petitioner has submitted



that the case of the prosecution as disclosed in the First Information Report read with statement of the victim recorded under Section 164 of the Code of Criminal Procedure makes the whole story completely doubtful.

Without commenting upon the said submission, considering the entire facts and circumstances of the case and the fact that the victim has been recovered, this application is allowed.

Let the petitioner above named in the event of his arrest/surrender within six weeks from today in the Court below, 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 the learned Sub-Divisional Judicial Magistrate, Dalsingsarai, Samastipur in Ujiyarpur P.S. Case No. 71 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the Police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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