IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70983 of 2018

Arising Out of PS. Case No.-248 Year-2018 Thana- KHAIRA District- Jamui

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Nawal Tiwari @ Nawal Kumar Tiwari Son of Nandu Tiwari, Resident of Village- Nijuara, P.S. Khaira, District-Jamui.

... ... Petitioner/s

Versus

The State Of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr.Satya Prakash Parasar
For the Opposite Party/s : Mr.Sri Nityanand
Fro the Informant : Mr. Amar Prakash

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA

ORAL ORDER

3 10-04-2019 Heard the parties.

The petitioner is apprehending his arrest in connection with Khaira P.S.Case no.248 of 2018 registered for offences punishable under Sections 363, 366(A)/34 of the Indian Penal Code.

Allegation against the petitioner is of kidnapping of the minor daughter of the informant.

Submission of the learned counsel for the petitioner is that the statement of the girl has been recorded under Section 164 Cr.P.C., in which she has not supported the prosecution case rather she has stated that she had gone on her own will and the report of the Medical Board shows that she is major. Further submission is that the girl has also been released in favour of the

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petitioner.

Heard learned A.P.P. and the learned counsel for the informant. They have opposed the prayer for bail on the ground that the processes under Section 82 and 83 of the Cr.P.C. have already been issued against the petitioner and the report has been called and that report also supports the same. .

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner surrender before the learned court below within a period of six weeks from the date of order and make prayer for regular bail, which will be considered by the learned court below on the submission that the girl is residing with the petitioner and she is major and considering the same he will dispose of the prayer of the petitioner on the same day.

With the aforesaid observation, this application is disposed of.

(Vinod Kumar Sinha, J)

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