

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62378 of 2019

Arising Out of PS. Case No.-132 Year-2018 Thana- PRANPUR District- Katihar

NIRAJ KUMAR THAKUR, aged about 23 years, Male, S/o Nand Kishor Thakur, Resident of Village- Roshna, P.S.- Prampur, District- Katihar
... Petitioner

Versus

The State of Bihar ... Opposite Party

Appearance :

For the Petitioner : Mr. Mukesh Kumar Jha, Adv.
For the Opposite Party : Mr. Mukeshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 15-10-2019 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the state.

The petitioner seeks pre-arrest bail in connection with Prampur (Roshna O.P.) P.S. Case No. 132 of 2018 for the offences alleged under Sections 363, 365 and 34 of the Indian Penal Code.

The accusation is that in the mid night of 29/30.09.2018, Nabil Akhtar, son of Ibrahim, along with his associates Niraj Kumar Thakur (petitioner), Ramjeevan Kumar and Manjab removed her daughter in sleeping condition from house. In course of search, he came to know that his daughter was being black mailed by Nabil Akhtar on mobile.

Learned counsel appearing on behalf of the petitioner submits that while the occurrence is of night of 29/30.09.2018, but, the first information report was lodged on 09.10.2018 without any explanation. In fact, daughter of the informant fell in love with Nabil Akhtar and left her house in the night and she returned after nine months and stayed at the house of her friend



and from there she reached at her house, whereupon, her statement was recorded under Section 164 of the Criminal Procedure Code and on the pressure of the family, she disclosed the name of the petitioner and one Govin, but, she has not clearly stated about committing rape either by the petitioner or any other person.

Having regard to the facts and circumstances of the case, let the petitioner, above named, in the event of surrender/arrest, within a period of four weeks from today, in connection with Pranpur (Roshna O.P.) P.S. Case No. 132 of 2018 shall be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate, I, Katihar, or the successor Court subject to the conditions as laid down under Section 438(2) Criminal Procedure Code.

(Rajendra Kumar Mishra, J)

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