

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75227 of 2019

Arising Out of PS. Case No.-259 Year-2019 Thana- GORAUL District- Vaishali

Nitish Kumar, Male, aged about 29 years, Son of Gonaur Singh Resident of
Village - Katarmala, P.S.- Garaul, District - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kaushal Kishor

For the Opposite Party/s : Mr. Anand Mohan Prasad Mehta

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 25-11-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

In this case, the petitioner is seeking bail in
connection with Goraul P.S. Case No. 259 of 2019 registered for
offences under sections 366(A) and 34 of the Indian Penal Code.

In the statement made under Section 164 Cr.P.C., the
victim girl has stated that when she was going to her shop, the
petitioner came there, caught her hand and coerced her to go along
with him by threatening that if she would raise alarm, her brother
will be killed whereafter she has gone along with the present
petitioner and, when she was coming out from the train, the police
arrested both of them.

Learned counsel for the petitioner submits that there
is nothing but, a love story is there and there is no pressure or
coercion made against her and submits that the petitioner has



wrongly been implicated in the present case of kidnapping.

Looking to the facts and circumstances of the case, let the petitioner, namely, Nitish Kumar, 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 learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Goraul P.S. Case No. 259 of 2019, subject to the condition that (i) one of the bailors shall be a close relative of the petitioner (ii) if the petitioner is found involved in future in similar type of case, the prosecution will be at liberty to make prayer for cancellation of his bail and the court below will pass necessary order, including cancellation of bail and (iii) the petitioner would cooperate the proceeding of the court below. In event of failure to appear on two consecutive dates, the court below will be at liberty to pass the order, including cancellation of bail bonds and (iv) the petitioner will report to the Goraul police station by 7th of every month for at least six months and in case of failure without any valid rhyme or reason, the bail of the petitioner will be treated to have been canceled.

(Shivaji Pandey, J)

rishi/-

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

