

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10347 of 2020

Arising Out of PS. Case No.-269 Year-2019 Thana- NAWADA District- Nawada

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DEOVRAT KUSHWAHA @ SIDDHARTH KUMAR @ SIDARTH
KUSHWAHA @ DEOVRAT KUSHWALA S/o Rishikesh Kumar Resident of
Village- Gondapur, P.S.- Nawada (Town), Distt- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bharat Lal
For the State : Mr.Yogendra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 20-08-2020 Due to COVID-19 Pandemic, the matter is being taken up
by way of virtual Court proceeding.

The matter has been listed under the heading “For Orders”
under the orders of Hon’ble the Chief Justice.

Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner seeks bail in a case for the offence
registered under Sections 363, 366A of the Indian Penal Code.

Allegation against the petitioner is of enticing away the
granddaughter of the informant with ill motive.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. There is no allegation
of tampering of witnesses alleged against the petitioner. Charge



sheet/Prosecution report in this case has already been submitted. The petitioner is in custody since 01-10-2019. The date of occurrence is said to be of 05-03-2019 but the case was instituted on 08-03-2019. The delay in lodging the FIR has not been explained by the prosecution. Prior to institution of the present case, a case vide Annexure-2 to the present application was instituted on 05-03-2019. In that case, the petitioner along with the victim and the informant of other case i.e. Annexure-2 was going to Rajgrih and in the way, they met with an accident. The said case was instituted for an offence under Sections-279, 337 and 338 of the Indian Penal Code and in that accident, the victim is said to have sustained injury but unfortunately, the victim succumbed to the injury. From perusal of Annexure-2, it appears that the victim had left with the petitioner and others with her own will.

On behalf of the State, it is submitted that the petitioner is named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances of the case and also the lockdown, let the petitioner, above named, be released on bail on his personal bond to the satisfaction of learned Chief Judicial Magistrate, Nawada in connection with Nawada (Town) P.S. Case No. 269 of 2019.



Once the normalcy is restored, the petitioner shall furnish bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of seven weeks to the satisfaction of the court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

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