

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25840 of 2020

Arising Out of PS. Case No.-99 Year-2020 Thana- HISUWA District- Nawada

NAVLESH KUMAR @ NAWLESH PRASAD S/o Late Badri Prasad
Resident of Village- Ajaniya, P.S.- Simra, District- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Krishna Prasad Singh (Sr. Advocate)
	:	Mr.Bhaskar Shankar
	:	Mr.Saket Kumar Singh
For the Opposite Party/s	:	Mr.Anand Mohan Prasad Mehta (APP)

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 14-10-2020 Heard Mr. Krishna Prasad Singh, learned Senior counsel for the petitioner and Mr. Anand Mohan Prasad Mehta, learned Additional Public Prosecutor appearing for the State of Bihar.

This application for grant of regular bail arises out of Hisuwa P.S. Case No. 99 of 2020 registered for the offence punishable under Section 366A of the Indian Penal Code.

It is alleged in the F.I.R. that the informant's daughter, student of Class IX was found missing since 02.03.2020, as she did not return after she had left for attending the school. On search, it was found that she was seen talking with the petitioner, whereafter, the F.I.R. came to be lodged on 13.03.2020.



Learned counsel appearing on behalf of the petitioner has drawn my attention to the statement of the victim recorded under Section 164 of the Cr.P.C., a copy of which has been brought on record by way of Annexure 2 to the application, to submit that the victim had left her house out of her own sweet-will and she is said to have solemnized marriage with the petitioner.

For the present, the Court does not intend to comment upon the legality of the marriage, which the victim is said to have disclosed in her statement, recorded under Section 164 of the Cr.P.C.

Considering the facts and circumstances, a case for grant of regular bail is, however, made out. This application is accordingly allowed.

Let the petitioner, above named, 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 Additional Sessions Judge II, Nawada, in connection with Hisuwa P.S. Case No. 99 of 2020.

It is indicated that defect, if any, shall be removed within two months.

Since COVID-19 Pandemic situation is prevailing,



the Court has considered it appropriate to adopt following procedure for communication of the present order:-

(i) The order, which has been dictated during the course of the proceedings of virtual Court, shall be communicated to me on my e-mail I.D. by the Secretary.

(ii) The corrected copy of the order shall be transmitted by me from my e-mail I.D. to the Secretary, which shall be treated to be the authentic copy of the order passed by this Court today in the present proceeding.

(iii) Hard copy of the order, duly signed by me, shall be preserved in my residential office for documentation and future use, if any.

(iv) Let a copy of the order be communicated to the learned court below through e-mail or any other appropriate electronic mode by the Registry.

Let steps be taken by the Registry for uploading of the present order without compromising with the norms of social-distancing.

(Chakradhari Sharan Singh, J)

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