

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26425 of 2020

Arising Out of PS. Case No.-182 Year-2016 Thana- RAJAON District- Banka

NITESH KUMAR Son of Kapildeo Harijan Resident of Village- Kifayatpur,
P.S.- Rajoun, District- Banka.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brij Nandad Prasad, Adv.
For the Opposite Party/s : Mrs. Mina Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 02-12-2020 Heard learned counsel for the petitioner and learned
APP for the State through virtual court proceedings.

The petitioner seeks bail in a case registered for the
offence punishable under Sections 363, 366(A), 34 of the Indian
Penal Code.

Allegation upon the petitioner is of kidnapping the
minor grand daughter of informant for the purpose of marriage.

Learned counsel for the petitioner submits that he is
innocent and has been falsely implicated in this case. He
submits that occurrence took place on 10.06.2016 but FIR was
lodged on 12.06.2016 without explaining the delay. He submits
that victim in her statement under Section 164 Cr.P.C. has not
said any incriminating about the petitioner but she in her
statement named one Bambam Yadav. He further submits that



petitioner is languishing in judicial custody since 13.01.2020.

I have perused the record including the case diary. The case diary indicates that victim is pregnant during her stay at Delhi but the victim has not specifically named the petitioner in her statement under Section 164 Cr.P.C. but vide para-100 of the case diary, victim was recovered from the house of the petitioner.

Considering the facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail. Accordingly, his payer for bail is rejected in connection with Rajoun P.S. Case No. 182 of 2016 pending before the court of the learned Chief Judicial Magistrate, Banka.

Accordingly, the application is dismissed.

(Anjani Kumar Sharan, J)

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