

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25883 of 2020

Arising Out of PS. Case No.-22 Year-2020 Thana- PARIHAR District- Sitamarhi

JITENDRA KUMAR S/o Shambhu Panjiyar Resident of Village- Sahasram
Police Station- Parihar, District- Sitamarhi.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Uday Kumar

For the Opposite Party/s : Mr.APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 16-10-2020 Heard both sides through Video Conferencing.

The petitioner seeks bail in Parihar P.S. Case No.22 of 2020 registered under Sections 363, 366A and 34 of the Indian Penal Code.

The informant alleged that Jitendra Kumar(the petitioner) kidnapped his niece with the help of his accomplices for the purpose of marriage. His niece had gone to Kamaldah High School by cycle but she did not return. Her cycle was thrown near Jawahar Lal Memorial College, Sursand.

The learned counsel for the petitioner submits that petitioner is innocent and he has committed no offence. The victim is a major girl. She voluntarily left her house and accompanied the petitioner to Rajasthan. The petitioner and the victim solemnised marriage. The victim made her statement



under Section 164 Cr.P.C. and she disclosed that she had gone along with Jitendra Kumar to Ajmer, Rajasthan. She did not make any allegation of kidnapping against the petitioner. The petitioner is in jail since 21.03.2020. Petitioner has remained in jail for about seven months.

Learned A.P.P. however opposed the prayer for bail.

Taking into consideration the fact that petitioner is of course alleged to have kidnapped the minor niece of the informant but the victim herself made statement under Section 164 Cr.P.C. and she did not disclose the fact that she was kidnapped by the petitioner rather the victim disclosed that she accompanied the petitioner to Ajmer, Rajasthan but now she wanted to go to her parent's house, let the petitioner, above named, be enlarged 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 Chief Judicial Magistrate, Sitamarhi, District-Sitamarhi in connection with Parihar P.S. Case No.22 of 2020.

(Prabhat Kumar Jha, J)

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