

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 21600 of 2020

Arising Out of P.S. Case No.-433 Year-2019 Thana-Nanpur District-Sitamarhi

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Nikiya, son of Ashraf Khan, resident of Village Bath Masli, P.S. Nanpur,
District Sitamarhi

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Md. Najmul Hodda
For the Opposite Party : Mr. Narendra Kr. Singh

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 12-08-2020 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Nanpur P.S. Case No. 433 of 2019, disclosing the offence punishable under Sections 366, 366-A/34 of the Indian Penal Code.

A copy of the statement of the alleged victim recorded under Section 164 of the Cr.P.C. has been brought on record by way of Annexure-2 to this application, wherein she is said to have disclosed that she was not kidnapped, rather she had gone with the petitioner of her own accord to Delhi and Pune. It has been further stated that upon examination by the Medical Board, the age of the victim has been found to be between 19-21 years



and no sign of rape has been found.

Considering the aforesaid averment, this application is allowed. Let the petitioner, above-named, in the event of his arrest/surrender within six weeks from today in the court below, be released on bail on furnishing bail bonds of Rs. 10,000/-(ten thousand), with two sureties of the like amount, each to the satisfaction of learned S.D.J.M., Sitamarhi, in Nanpur P.S. Case No. 433 of 2019, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the Police/ Court, as the case may be, as and when required and in the event of failure on his part to appear before the court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

It is also indicated that defects, if any, shall be removed within two months from today.

Since there is a lockdown, 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)

Rajesh/-

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