

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35566 of 2020

Arising Out of PS. Case No.-28 Year-2020 Thana- MAHILA P.S. District- Muzaffarpur

NIKITA KUMARI D/O SITANAND MAHTO R/O VILLAGE - BHIKATI,
P.S. - KUDANI, DISTRICT- MUZAFFARPUR.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Hans Lal Kumar

For the Opposite Party/s : Mr.Umeshanand Pandit, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 29-01-2021 Heard both parties.

The petitioner seeks bail in Mahila (West) P.S. Case No. 28 of 2020, registered for the offence punishable under Sections 363, 365, 366, 366(A) and 372 of the Indian Penal Code.

Petitioner is alleged to have kidnapped the daughter of informant for the purpose of marriage or to engage her in flesh trade.

It is submitted that petitioner has been falsely implicated in this case. In fact, there is love affair between the victim girl and this petitioner. Petitioner is next door neighbour of the informant. The victim girl in her statement under Section 164 Cr.P.C has clearly stated that she loves the petitioner and voluntarily left her house and went away with this petitioner for



marriage. Petitioner is in custody since 04.06.2020.

In view of the statement of victim girl under Section 164 Cr.P.C, the petitioner above-named, is directed to 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 Additional Chief Judicial Magistrate 5th, Muzaffarpur in connection with Mahila (West) P.S. Case No. 28 of 2020, subject to following conditions:-

(i) The petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, her bail bond shall be liable to be cancelled by the court below.

(ii) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Prabhat Kumar Singh, J)

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