

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3611 of 2022

Arising Out of PS. Case No.-34 Year-2014 Thana- MOTIPUR District- Muzaffarpur

Nitesh Kumar, Son Of Thakur Ray Resident Of Village- Morsandi, P.S.-
Motipur, District- Muzaffarpur.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukund Mohan Jha
For the Opposite Party/s : Mr. Md. Aslam Ansari

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 26-05-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case registered for the offences punishable under Section 366/ 34 of the Indian Penal Code. The learned counsel for the petitioner submits that the present F.I.R. arises from Complaint Case No.2107 of 2013.

The learned counsel for the petitioner submits that the petitioner is in custody since 04.09.2021, he is a person with clean antecedent and charge-sheet has been submitted in the case.

The learned counsel for the petitioner submits that the informant alleges that the petitioner enticed his wife and fled with her either for the purpose of marriage or with a view to sell her.



The learned counsel for the petitioner submits that petitioner has been falsely implicated in the present case by the informant. It is next submitted that wife of the informant came back and her statement was recorded under Section 164 of the Cr.P.C. where she has stated that the petitioner had taken her to Kolkata where he kept her for three days and thereafter, she fled from there and came back home, but does not allege any sexual assault.

The learned counsel submits that the informant was ill and requested the petitioner to bring his wife from her parental home on account of which, the petitioner had gone to fetch his wife along with her three children and since there was some time gap, as such, on arrival of his wife the informant based on suspicion instituted the aforesaid complaint case.

The learned A.P.P. for the State opposes the bail application.

Considering the fact that the petitioner is in custody, he is a person with clean antecedent, charge-sheet has been submitted in the case and the victim does not allege any sexual assault against the petitioner in her statement under Section 164 of the Cr.P.C., the petitioner, above-named, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs.



10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Motipur P. S. Case No.34 of 2014.

The instant application stands allowed.

(Satyavrat Verma, J)

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