

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5375 of 2022

Arising Out of PS. Case No.-199 Year-2020 Thana- RAMKRISHNANAGAR District- Patna

NITISH KUMAR S/o Chandrama Prasad Singh R/o - Pachi Mahesh, Basrhar,
P.S.- Raja Pakar, Distt.- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar Yadav, Adv.

For the Opposite Party/s : Mr.Damodar Prasad Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 29-08-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioner undertakes to remove the defects within four weeks of resumption of normal court proceedings. In the eventuality of non-removal of defects within stipulated period, the office will place the matter before the Bench.

The petitioner apprehends his arrest in a case registered for the offence punishable under section 364(A) of the Indian Penal Code.

The prosecution case, in short is that the husband of informant was abducted and later on she received a telephonic call by the abductor for demand of money which was taken by her husband for providing employment to the abductor and it



was assured that after return of money, her husband would safely return to his home.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. He has been falsely implicated in this case. Petitioner is not named in the F.I.R. and his name transpired in this case on confessional statement of co-accused during investigation. There is no specific overt act against the petitioner. The victim had taken money from several persons for procuring employment but neither employment was given nor money was returned. It appears that the victim was held back for some time for the purpose of return of the amount, which he had fraudulently taken from many persons. Petitioner has no criminal antecedent and similarly situated co-accused has been enlarged on anticipatory bail by a co-ordinate Bench of this court vide order dated 26.05.2022, passed in Cr. Misc. No.25723 of 2021.

Learned APP for the State opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.



25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Ram Krishna Nagar P.S. Case No.199 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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