

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35660 of 2022

Arising Out of PS. Case No.-123 Year-2020 Thana- NAUHATTA District- Saharsa

NANDAN KUMAR JHA @ NANDAN KUMAR SON OF BHAGWAN JHA
R/O VILLAGE- EKARDH, P.S.- NAWHATTA, DISTRICT- SAHARSA

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Mishra

For the Opposite Party/s: Mr.Prem Kumar Jha

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

3 03-11-2022 The learned counsel for the petitioner is directed to re-
move all the defects pointed out by the office within one month.

Heard learned counsel for the petitioner as well as
learned APP for the State.

In this case, the petitioner is seeking regular bail in con-
nection with Nauhatta P.S. Case No. 123 of 2020, registered for the
offences punishable under Sections 363, 366 (A)/34 of the Indian Pe-
nal Code along with Section 8 and 12 of the POCSO Act.

Learned counsel for the petitioner has submitted that
there is allegation against the petitioner that he kidnapped the minor
daughter of the informant but his daughter in her statement under
Section 164 of the Cr.P.C. has stated that she was in love and affec-
tion with the present petitioner and she has solemnized her marriage
with him as per her own sweet will. The parents of the victim, as per



her statement, intended to solemnize her marriage with a person not of her choice and his age was of 40 years.

On the other hand, learned Addl.P.P., Mr. Prem Kumar Jha has opposed the prayer for bail.

Considering the fact that the couple have solemnized their marriage and they are living together, let the petitioner above-named be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned court of Exclusive Special Court (POCSO), Saharsa in connection with Nawhatta P.S. Case No. 123 of 2020, subject to the following conditions:-

(i) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.

(ii) If the petitioner is found involved in future in the similar type of offence, the prosecution will have liberty to file an application before the court below for cancellation of the bail of the petitioner and the learned court below will take decision in accordance with law.

Office shall ensure that all defects are removed by the petitioner within the stipulated time mentioned hereinabove, failing which, the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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