

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 38183 of 2022

Arising Out of PS. Case No.-59 Year-2022 Thana- KOPA District- Saran

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Nitesh Kumar @ Nitish Kumar Son Of Shiv Kumar R/O Village- Karhin,
P.S.- Baniyapur, District- Saran At Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Radha Mohan Singh, Adv.

For the Opposite Party/s : Ms. Gulnar Begum, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 22-11-2022 Let the defect(s), if any, be removed within two
weeks from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Kopa P.S. Case No. 59 of 2022, lodged under sections 363, 366
A and 34 of the Indian Penal Code.

As per the prosecution case, the allegation against the
petitioner is that he kidnapped the minor daughter of the
informant with a view to marry her and in the said act of the
petitioner, 3 other persons helped and they were also named in
the F.I.R.

Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. He submits
that petitioner is in custody since 12.04.2022 having clean
antecedent and charge sheet has already been filed in this case.
He further submits that after this occurrence, the alleged victim

girl given her statement under Section 164 of Cr.P.C. In the said statement, she categorically stated that she went with the petitioner without any pressure and after 3 days, she was caught by the police and returned back to her family.

Learned counsel for the State opposes the prayer for bail and submits that the victim girl has been recovered by the police but admits that statement under Section 164 of Cr.P.C. she stated that no force has been used on her.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Saran, Chapra in connection with Kopa P.S. Case No. 59 of 2022, subject to the conditions as laid down under Section 437(3) of Cr.P.C.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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