

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39358 of 2022**

Arising Out of PS. Case No.-6 Year-2022 Thana- NALANDA District- Nalanda

RAKESH KUMAR S/o Baliram R/o- Bargaon, P.S.- Nalanda, Distt.-
Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amresh Kumar Sinha

For the Opposite Party/s : Mr.Umesh Lal Verma

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

ORAL ORDER

2 03-11-2022 The learned counsel for the petitioner is directed to

remove all the defects pointed out by the Stamp Reporter within

one month. He is also directed to make necessary correction in

the name of the petitioner.

Heard the learned counsel for the petitioner and

learned APP for the State.

This is an application for regular bail on behalf of

the petitioner for the offences alleged under Section 366A of

the Indian Penal Code in connection with Nalanda P.S.Case No.

06 of 2022.

Raushan Kumar, who is brother of the victim, has

mentioned in his written report that his minor sister went away

from home and she took away some gold articles and Rs.



12,000/- cash and did not return. He made further allegation that the petitioner enticed away his minor sister.

The learned counsel for the petitioner has submitted that the FIR itself shows that the petitioner did not kidnap the sister of the informant, rather she with her own sweet will went with the petitioner. He has submitted further that though the victim in her statement under Section 164 of the Cr.P.C. has stated that the petitioner had kidnapped her and brought her to Hyderabad, but the FIR reveals that she went with the petitioner with ornaments and cash. He has also submitted that the petitioner is in custody since 16.02.2022 and he is a person of clean antecedent.

Considering the above facts and circumstances, let the petitioner, above-named, be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Nalanda at Biharsharif in connection with Nalanda P.S.Case No. 06 of 2022, subject to the following conditions:-

1. The petitioner shall cooperate in the disposal of trial and make available as and when required by the court.

2. 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 petitioners and
the learned court below will take decision in
accordance with law.

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

(Nawneet Kumar Pandey, J)

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