

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49286 of 2022

Arising Out of PS. Case No.-22 Year-2020 Thana- PARIHAR District- Sitamarhi

1. Niraj Kumar, S/O Palat Panjiyar R/O Village- Sahasram, P.S.- Parihar, District- Sitamarhi (Bihar)
2. Nitesh Kumar @ Nitish Kumar, S/O Indresh Pandit R/O Village- Sahasram, P.S.- Parihar, District- Sitamarhi (Bihar)

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uday Kumar

For the Opposite Party/s : Mr. Mohammad Sufyan

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 16-11-2022 Heard learned counsel for the petitioners and learned APP
for the State.

The petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Sections 363, 366(A) and 34 of the Indian Penal Code.

The learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and the informant alleges that his minor niece was kidnapped by the accused persons including the petitioners.

The learned counsel for the petitioners submits that petitioners have been falsely implicated in the present case. It is next submitted that the victim has returned and her statement was recorded under Section 164 of the Cr.P.C. wherein she has disclosed



her age as 15 years and has not supported the prosecution case rather has stated that she had accompanied Jitendra Kumar to Rajasthan. The learned counsel submits from perusal of her statement recorded under Section 164 Cr.P.C., it would manifest that it does not even remotely suggest that she was forcefully taken by Jitendra Kumar to Rajasthan. It is next submitted that the victim does not even name the present petitioners in her statement recorded under Section 164 of the Cr.P.C.

Learned A.P.P. opposes the bail application.

Considering the submissions made by the learned counsel for the petitioners, the petitioners, above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks, are directed to be released on bail on their furnishing bail-bonds in the sum of Rs. 5,000/- (Rupees Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Parihar P. S. Case No.22 of 2020, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Satyavrat Verma, J)

vikash/-

U		T	
---	--	---	--

