

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68655 of 2021

Arising Out of PS. Case No.-110 Year-2021 Thana- BELA District- Sitamarhi

NITISH KUMAR S/o Ganesh Rai Resident of Village - Naranga, P.S. - Bela,
Distt. - Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ramchandra Singh, Advocate

Mr. Sanjay Kumar, Advocate

For the Opposite Party/s : Mr. Anuj Kumar Shrivastava, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

4 19-11-2022 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period of
four weeks from today.

The petitioner seeks bail in connection with Bela P.S.
Case No. 110 of 2021 registered for the offence under Sections 363
and 366(A) of the Indian Penal Code.

The accused/petitioner is named in the F.I.R. and is in
custody since 07.06.2021.

The allegation against the petitioner is to kidnap the minor
daughter of the informant for the purpose of illicit intercourse.

Learned counsel appearing on behalf of the petitioner
submitted that petitioner has been falsely implicated due to
neighbourhood disputes and differences. It is further submitted that



the victim not named any person including this petitioner, while recording her statement under Section 164 of the Cr.P.C., she categorically stated thereof, that she, on her own, went to the parental house of her mother without informing anyone in family. While concluding the argument, it has been submitted that investigation has been completed, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as no allegation regarding kidnapping as well as sexual assault was alleged against this petitioner, while recording the statement of victim under Section 164 of the Cr.P.C. coupled with the fact that charge-sheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Bela P.S. Case No. 110 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J.-VI, Sitamarhi/concerned court, subject to the conditions as mentioned under Section 437 (3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

pooja/-

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

