

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71966 of 2021

Arising Out of PS. Case No.-290 Year-2021 Thana- ALOULI District- Khagaria

Nitish Kumar S/O Vinod Khirhar, R/o village- Gadhbanni, P.S.- Alauli,
District- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar Singh, Adv.

For the Opposite Party/s : Mr. Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 26-05-2022 Heard Mr. Ranjeet Kumar Singh, learned counsel for
the petitioner and Mr. Jitendra Kumar Singh, learned APP for
the State.

Let the defect(s) be removed within four weeks of the
complete start of the physical Court in normal course.

The petitioner is in judicial custody in connection
with Alauli P.S. Case No.290/2021 (G.R. No.2455/2021)
instituted under Section 366(A)/34 of the Indian Penal Code.

As per the FIR, the informant alleged that this
petitioner along with his other co-accused took away his minor
daughter for the purpose of marriage. Subsequently, the victim
girl was recovered and she made a statement under Section 164
of the Cr.P.C. stating therein that she had left her home on her
own. She was a singer and wanted to live her own life and lately
the same was resented by her parents. She has further stated that



the petitioner herein had no role in the matter. (Annexure-2 of bail application)

The learned APP has also perused the said statement.

Considering the aforesaid fact and the statement of the victim girl under Section 164 of the Cr.P.C. as also that he is in jail since 25.08.2021 (as stated in para-10 of the bail application) and has no criminal antecedent as also that the charge-sheet stands submitted, this Court is inclined to grant him privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each in connection with Alauli P.S. Case No.290/2021 (G.R. No.2455/2021) to the satisfaction of learned ACJM, IVth, Khagaria , subject to following conditions:

(i) one of the bailor should be the family member of the petitioner, who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reasons will entail cancellation of his bail by the Trial court itself;

(iii) the petitioner shall in no way try to induce or



promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

Nothing recorded in this order shall be taken for consideration in course of the Trial which shall be decided on its own merit.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

Prakash Narayan /-

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