

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.5545 of 2023**

Arising Out of PS. Case No.-202 Year-2021 Thana- NARDIGANJ District- Nawada

NITISH YADAV @ NITISH KUMAR Son of Brija Yadav R/V- Naya Beldari  
PS- Muffasil, Dist- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Sheo Kumar Prasad, Advocate

For the Opposite Party/s : Mr. Kumar Ranjit Ranjan, Addl. Public Prosecutor

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

3      19-06-2023      Heard learned counsel for the petitioner and the State.

Petitioner apprehends arrest in a case registered for the offence punishable under Sections 365, 34 of the Indian Penal Code.

As per the prosecution case, the petitioner along with other co-accused person abducted the informant along with the sand loaded motorcycle and demanded Rs. 2 lacs to release the same. It is further alleged that at around 01:00 AM in the night, the petitioner released the informant and gave back mobile and motorcycle.

It is submitted that petitioner has been made accused in this case merely because he is the son of the co-accused Birja Yadav. Moreover, the informant was released on the same day and hence no offence of abduction is made out against this



petitioner. Petitioner claims clean antecedent.

Learned counsel for the State opposes the bail petition of the petitioner.

Considering the aforesaid fact that the informant was abducted by the petitioner but released on the same day, hence, no case is made out under the aforementioned sections and, hence, in the event of arrest or surrender within six weeks from today, let the petitioner, as named above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1<sup>st</sup> Class, Nawada in connection with Nardiganj P.S. Case No. 202 of 2021 subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

**(Prabhat Kumar Singh, J)**

Alok Verma/-

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