

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12447 of 2023

Arising Out of PS. Case No.-503 Year-2022 Thana- CHAKIA District- East Champaran

NITISH KUMAR @ NITESH KUMAR S/O RAM NATH SAHANI Resident
of Village- Bara Baishahan (Bara Baisaha), P.S.- Chakia, District- East
Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 11-05-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Petitioner apprehends his arrest in a case registered for
offence punishable u/s 363, 365 of IPC and 8 of POCSO Act.

The allegation against the petitioner is that he along with
other accused persons has kidnapped the informant's daughter.

It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has committed no offence. He
has been falsely implicated in this case. No such occurrence, in
the manner as alleged, has ever taken place. The allegation
leveled against the petitioner is not specific rather general and
omnibus in nature. It is submitted that the statement of the
victim was recorded u/s 164 Cr.P.C., where she has not



supported the prosecution case and the medical Board opined the age of the victim between 18-19 years.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case and considering the statement of the victim, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Chakia P.S. Case No.503/2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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