

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17605 of 2023

Arising Out of PS. Case No.-556 Year-2022 Thana- MAHUA District- Vaishali

NITESH KUMAR @ NITISH KUMAR Son of Sanjay Rai R/O Village -
Manishpur, P.S.- Mahua, District - Vaishali, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Mohd Sadiq Hasnain, Adv.
For the Opposite Party/s	:	Mr.Md. Matloob Rab, APP
For the Informant	:	Mr.Ranjit Kumar Thakur, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 05-07-2023 Heard learned counsel for the petitioner, learned counsel
for the informant and learned APP for the State.

The petitioner apprehends his arrest in a case registered
for the offence punishable u/s 363, 366(A), 34 of the IPC.

Allegation against the petitioner is that he along with one
Sudhir Kumar kidnapped the daughter of the informant.

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 due to ulterior motive.
No such occurrence, in the manner as alleged, has ever taken
place. The statement of the victim was recorded u/s 164 Cr.P.C.,
in which, she has not supported the prosecution case. The FIR
witnesses namely Lalita Devi and Radha Devi have not



supported the prosecution case. Petitioner has no criminal antecedent.

Learned APP for the State as well as learned counsel for the informant opposed the prayer for bail by submitting that the victim is a minor.

Having regard to the facts and circumstances of the case and considering the statement of the victim u/s 164 Cr.P.C., 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 Mahua P.S. Case No.556/2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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