

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25162 of 2023

Arising Out of PS. Case No.-183 Year-2021 Thana- TRIVENIGANJ District- Supaul

Nitish Kumar @ Nitiesh Kumar son of Late Bhaiyalal Yadav Village-
Balaukhra Ps- Pipra Dist- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Mishra

For the Opposite Party/s : Mr.Dashrath Mehta

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 23-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 366A, 506, 354A, 34 of the Indian Penal Code and Sections 8/17 of the POCSO Act.

As per FIR, the allegation against the petitioner and co-accused persons is that on pistol point they kidnapped minor daughter of the informant.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. As per impugned order, the statement of victim recorded under section 164 of Cr.P.C. wherein, the victim stated that she went with this petitioner with



her own sweet-will thereafter they solemnized marriage in Singheshwar temple and as per Medical Report victim age has been assessed as 16-20 years. It is further submitted that the FIR has been lodged after delay of five days. A statement has been made in para-3 of the petition that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 25.10.2022.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Triveniganj P.S. Case No. 183 of 2021 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-VI-cum-Special Judge, POCSO, Supaul.

(Sunil Kumar Panwar, J)

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