

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24711 of 2022

Arising Out of PS. Case No.-145 Year-2021 Thana- SALAKHUA District- Saharsa

NITISH KUMAR @ NEHRA Son of Bhado Sahab Yadav @ Bahuran Yadav
Resident of Village - Gadhbanni Hathwan, P.S.- Alauli, Distt.- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Rashmi Jha, Advocate
For the Opposite Party/s : Mr. Arun Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 12-01-2023 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 363, 366 and 34 of the Indian Penal Code.

As per the prosecution case, the newly married daughter-in-law of the informant was kidnapped by the petitioner.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case. No occurrence as alleged in the F.I.R. took place. The statement of the daughter-in-law of the informant was recorded under section 164 of the Cr.P.C. which has been brought on record and from perusal of which it would transpire that she went with the petitioner out of her own volition. The petitioner is in custody



since 28.11.2021 and investigation in the case has concluded.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the material that has transpired in course of investigation specially the contents of the statement of the alleged victim under section 164 Cr.P.C. wherein she has not supported the prosecution case and chargesheet having been submitted in the case, the Court directs the petitioner to be enlarged on bail in connection with Salkhua P.S. Case no.145 of 2021 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate IV, Saharsa.

(Partha Sarthy, J)

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