

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32366 of 2022

Arising Out of PS. Case No.-127 Year-2021 Thana- BHANGWANPUR HAT District- Siwan

NITISH KUMAR Son of Muneshwar Prasad Resident of Village - Ushari
Haraipur, P.s.- Basantpur, Distt.- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Pandey

For the Opposite Party/s : Mr.Jagdhari Prasad

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

3 24-01-2023 Heard learned counsel for the petitioner as well as
learned APP for the State.

The petitioner apprehends his arrest in connection with Bhagwanpur Hat P.S. Case No. 127 of 2021, registered for the offences punishable under Sections 363, 366 (A) of the Indian Penal Code, Section 4/6 of the POCSO Act & Section 9 of Prohibition of Child Marriage Act.

Learned counsel for the petitioner has submitted that there is allegation against the petitioner that he along with co-accused Chandrakant Tiwary, had kidnapped the minor daughter of the informant, but his minor daughter in her statement recorded under Section 164 of the Cr.P.C. has stated that she had love and affection with co-accused Chandrakant Tiwary. She has



solemnized her marriage with him and residing with him as husband and wife. Learned counsel has further submitted that the investigating authorities have submitted final form against the petitioner.

On the other hand, learned Addl.P.P. has opposed the prayer for bail.

Considering the above-mentioned facts and circumstances, let the petitioner, in the event of his arrest or surrender within four weeks before the learned court below, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Addl. Sessions Judge VI-cum-Spl. Judge, Siwan in connection with Bhagwanpur Hat P.S. Case No. 127 of 2021, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Nawneet Kumar Pandey, J)

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