

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33028 of 2023

Arising Out of PS. Case No.-138 Year-2021 Thana- MEDNI CHAUKI District- Lakhisarai

NITISH KUMAR son of Late Upendra Singh Village- Rishi Paharpur Ps-
Mednichauki Dist- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajnish Chandra

For the Opposite Party/s : Mr.Dr. Indiwari Kumari

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 14-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in a case registered
for the offence punishable under sections 366A/34 of the Indian
Penal Code.

As per allegation in the FIR, it is a case of abduction
of niece, aged about 15 years, of the informant by the petitioner.
On getting information, when the informant asked about the
matter to petitioner's mother, she started to abuse and insult the
informant.

Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has committed no
offence. It appears from the statement of the victim girl
recorded u/s 161 Cr.P.C. as well as 164 Cr.P.c. that there was



love affair between the petitioner and the niece of the informant followed by marriage. Victim was in apprehension of being sold out by her aunty. She has not raised any finger against the petitioner for any offence. Mother of the petitioner, has already been enlarged on bail by another coordinate Bench of this Court vide order dated 6.9.2022 passed in Cr. Misc. No. 11037 of 2022. Petitioner is languishing in judicial custody since long.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned ACJM, Lakhisarai in connection with Medanichauki P.S. Case No. 138 of 2021.

(Sunil Kumar Panwar, J)

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