

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34055 of 2022

Arising Out of PS. Case No.-35 Year-2022 Thana- NAUTAN District- West Champaran

NITESH KUMAR @ NITISH KUMAR S/o Laxman Sahni Resident of
Village - Maduahan, Ghota Tola, P.S. - Nautan, Dist.- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar

For the Opposite Party/s : Ms. Rita Verma

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

ORAL ORDER

3 04-01-2023 The learned counsel for the petitioner is directed to
remove all the defects pointed out by the office within one month.

Heard the learned counsel for the petitioner as well as the
learned Additional Public Prosecutor for the State.

The petitioner apprehends his arrest in connection with
Nautan (Jagdishpur) P.S. Case No. 35 of 2022 registered for
offence punishable under section 366A of the Indian Penal Code
and section 8 of the POCSO Act.

As per allegation, named accused persons enticed away
the minor daughter of the informant with intent to solemnize her
marriage with the petitioner. The statement of the alleged victim
recorded under section 164 of the Code of Criminal Procedure is
annexed with the record, in which she stated her age as 20 years,
but the learned Magistrate assessed her age as 17 years. She has



stated that she had love and affection with the present petitioner. She wanted to solemnize her marriage with the petitioner, but her parents were not ready. She fled away with the petitioner with her own sweet will.

Considering the above-mentioned facts and circumstances as well as the clean antecedent of the petitioner, let the petitioner above-named, in the event of his arrest or surrender, within four weeks from today, be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-VI-cum-Special Judge, POCSO, Bettiah, West Champaran in connection with Nautan (Jagdishpur) P.S. Case No. 35 of 2022, subject to condition as laid down under section 438(2) Cr. P.C.

Office shall ensure that all defects are removed by the petitioner within the stipulated time mentioned hereinabove, failing which, the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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