

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36095 of 2022

Arising Out of PS. Case No.-47 Year-2022 Thana- BHAGWANPUR District- Begusarai

NIKKU KUMAR SON OF SHAMBHU PASWAN R/O- VILL-
MOHANPUR DIH, P.S.- MANSOOR CHAK, DIST.- BEGUSARAI AT
PRESENT R/O- MALHIPUR, P.S.- BHAGWANPUR, DIST.- BEGUSARAI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Braj Bhushan Poddar, Adv.

For the Opposite Party/s : Ms. Meena Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 13-02-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioner is permitted to
remove the defect(s), as pointed out by the office, if any, within
a period of four weeks from today.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 366(A) of the Indian Penal
Code.

According to prosecution case, the minor daughter of
informant is said to have been abducted by the petitioner for the
purpose of marriage.

Learned counsel for the petitioner submits that
petitioner has clean antecedent and he has falsely been



implicated in the present case. He further submits that the allegation against the petitioner in the F.I.R is false and fabricated. The statement of victim girl has been recorded under Section 164 Cr.P.C., in which, she has stated that the petitioner has performed marriage with her and no one has abducted her. The police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 28.04.2022.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail.

Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Bhagwanpur (Tiyay) P.S. Case No. 47/2022, subject to the following conditions:-

1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.



3. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

amit/-

U		T	
---	--	---	--

