

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59193 of 2023

Arising Out of PS. Case No.-80 Year-2022 Thana- MOHAMMADPUR District- Gopalganj

Nitish Kumar Son Of Yogendra Ray Village- Kabirpur Ps- Mohammadpur
Dist- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Naresh Prasad, Advocate

For the Opposite Party/s : Ms. Sharda Kumari, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 22-09-2023 Learned counsel for the petitioner is permitted to remove the defect(s), as pointed out by the office, if any, within a period of three weeks from today.

2. Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

3. The petitioner is apprehending his arrest in connection with Mohammadpur P.S. Case No. 80 of 2022 dated 17.04.2022 registered for the offence punishable u/s 366 of the Indian Penal Code.

4. As per the prosecution case, the petitioner and the co-accused persons are alleged to have kidnapped the minor daughter of the informant for the purpose of marriage.

5. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. There was love affair between the parties. The victim in her statement



recorded u/s 164 of the Cr.P.C has stated that she has solemnized marriage with the petitioner of her own will and she has further stated that her parents lodged false case against the petitioner and in-laws. It is further submitted that the victim was not forced to have illicit relationship with another person. The petitioner has no criminal antecedent as stated in para 3 of the bail petition.

6. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner.

7. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Gopalganj in connection with Mohammadpur P.S. Case No. 80 of 2022, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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