

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59240 of 2022

Arising Out of PS. Case No.-115 Year-2022 Thana- BAUNSI District- Banka

NITISH KUMAR S/O MADAN MOHAN MANDAL @ MADUNI
MANDAL Resident of Village- Nayagaon, P.S.- Bounsi, District- Banka.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Praveen Kumar

For the Opposite Party/s : Mr.A.G

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 06-02-2023 Heard the learned counsel for the petitioner
and the learned APP for the State.

The petitioner seeks regular bail in connection with Bounsi P.S. Case No. 115 of 2022, registered for the offence punishable under Sections 363(a), 34 of the Indian Penal Code.

The allegation is regarding the petitioner having kidnapped the victim girl.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case, he is having a clean antecedent and he is languishing in custody since 8.6.2022. The learned counsel



for the petitioner has submitted, by referring to the materials available on record as also the statement made by the victim girl under Section 164 Cr.P.C., before the learned Magistrate that the victim girl had voluntarily eloped with the petitioner and had gone to Basukinath temple for offering prayers and then, they had gone to Deoghar, however, she has not alleged any untoward incident to have been committed by the petitioner.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record as also considering the statement made by the victim girl under Section 164 Cr.P.C., before the learned Magistrate wherein the victim girl has not alleged any untoward incident to have been committed by the petitioner, I deem it fit and proper to



direct for release of the petitioner on regular bail.

Accordingly, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka in connection with Bounsi P.S. Case No. 115 of 2022.

(Mohit Kumar Shah, J)

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