

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68435 of 2022

Arising Out of PS. Case No.-649 Year-2022 Thana- BHAGALPUR KOTWALI District-
Bhagalpur

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NITISH KUMAR @ NITISH KUMAR RAM Son of Bijoy Ram Resident of
Village- Kajraili, Chandarpur, P.S.- Sabour, District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Praveen Kumar

For the Opposite Party/s : Mr.Ajay Kumar No. 2

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 19-01-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered for the offence punishable under Section 366(A) of the Indian Penal Code pending in the learned court below.

As per the statement recorded under Section 164 Cr.P.C. the victim has stated that on the direction of the petitioner she has boarded on the train and then the petitioner told her that he is going to bring water, but he never returned.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He further submits that no offence is made out under Section 366(A) of the I.P.C. He submits that there is no



allegation of sexual assault has been made against the petitioner by the victim. He further submits that petitioner has got no criminal antecedent as stated in para-3 of the bail application.

Learned APP for the State opposes for prayer for bail.

Considering the aforesaid facts and circumstances, let the petitioner, named above, in the event of his arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount to the satisfaction of the learned Court below, where the case is pending/Successor court, in connection with Kotwali P.S. Case No.649/2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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