

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68945 of 2022

Arising Out of PS. Case No.-198 Year-2022 Thana- NOKHA District- Rohtas

NITISH KUMAR Son of Dinanath Ram Resident of Village- Badka Gaon,
Chamarh, P.S.- Nokha, District- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shankar Kumar, Adv.

For the Opposite Party/s : Mr. Akbar Ali, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 28-04-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Petitioner seeks bail, who is in custody since
25.06.2022, in connection with Nokha P.S. Case No. 198/2022,
F.I.R. dated 10.06.2022, for the offences punishable under
Sections 363, 366(A)/34 of the Indian Penal Code.

According to prosecution case, the petitioner is alleged
to have abducted the girls with an intention to marry. It is
alleged that the father of the petitioner namely, Dinanath Ram
has also played role in the said kidnapping of girls.

Learned counsel for the petitioner submits that
petitioner has clean antecedent and has committed no offence
and he has falsely been implicated in the present case. He
further submits that the allegation as alleged in the



F.I.R. is false and fabricated. The petitioner has not committed any offence as alleged in the F.I.R. He further submits that the victim girls recovered and their statement under Section 164 Cr.P.C. was recorded in which she has not supported the allegation as alleged in the F.I.R and they have also refused for their medical examination. He further submits that the police after investigation submitted the charge sheet against the petitioner and the petitioner is in custody since 25.06.2022.

Learned Additional Public Prosecutor for the State on the other hand has vehemently opposed the prayer for bail of the petitioner.

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 S.D.J.M., Sasaram, Rohtas, in connection with Nokha P.S. Case No. 198/2022, 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)

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