

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73159 of 2022

Arising Out of PS. Case No.-1133 Year-2022 Thana- NAWADA District- Nawada

-
1. WISHAVJEET KUMAR Son of Shiv Kant Mallick R/V- Chitwari, P.S- Muffasil Katihar, Dist- katihar
 2. Saloni Devi Wife of Wishavjeet Kumar R/V- Chitwari, P.S- Muffasil Katihar, Dist- katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhay Shankar Singh

For the Opposite Party/s : Mr.Bharat Lal

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 27-03-2023 Heard learned counsel for the petitioners as well as
learned APP for the State.

In this case, the petitioners are seeking regular bail in connection with Nawada Town P.S. Case No. 1133 of 2022, registered for the offences punishable under Sections 363, 385 of the Indian Penal Code.

As per allegation, the informant Shashi Kumar made allegation against his elder brother Chandan Verma that he kidnapped his six month's son.

Learned counsel for the petitioner has submitted that the allegation of kidnapping is against Chandan Verma. The petitioners are not named. During investigation the kidnapped



child was recovered from the house of the petitioners. He has further submitted that as a matter of fact the petitioners are issueless and they intended to adopt a child. Petitioner No. 1 is employee of Medical College and the security guard namely Praveen Kumar provided that child to the couple. The guard came to the petitioners with Chandan Verma accompanying that child and they apprised that after death of wife of Chandan Verma there is no one to look after his child. The petitioners in misconception that Chandan Verma is biological father of the child, accepted the child for adoption.

On the other hand, the learned Addl.P.P. has opposed the prayer for bail.

Considering the fact that the petitioners are persons of clean antecedents and also considering the period of incarceration i.e., more than five months, let the petitioners above-named be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-I, Nawada in connection with Nawada Town P.S. Case No. 1133 of 2022, subject to the following conditions:-

(i) The petitioners shall cooperate in the disposal of trial and make themselves available as and when required by the



court.

(ii) If the petitioners are found involved in future in the similar type of offence, the prosecution will have liberty to file an application before the court below for cancellation of the bail of the petitioners and the learned court below will take decision in accordance with law.

(Nawneet Kumar Pandey, J)

SONALI/-

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

