

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4905 of 2024

Arising Out of PS. Case No.-312 Year-2017 Thana- BATHNAHA District- Sitamarhi

NANTUN KUMAR @ NANTUN SADA SON OF RAM JATAN SADA R/O
VILLAGE- RUPAULI, P.S.- BATHNAHA, DIST.- SITAMARHI

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar

For the Opposite Party/s : Mr.Surendra Prasad Singh

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 09-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Bathnaha P.S. Case No. 312 of 2017 registered for the offence
under Sections 363/366A of the Indian Penal Code.

3. As per the prosecution case, the allegation is of
kidnapping the victim and the victim girl in her statement has
said that she was kept for 20 days in Sheohar by the accused
persons.

4. The victim girl has not alleged for any sexual
act done against her and she has only alleged that the accused
persons wanted to sell her.

5. The petitioner is in jail since 1.6.2022.

6. Learned counsel for the petitioner submits that
the trial is being delayed and no witnesses have been examined
though, charge has been framed only. He also submits that the
petitioner is implicated in this case because of previous enmity.

7. Learned counsel for the petitioner further



submits that the right of the petitioner of speedy trial is also being violated.

8. Considering the period of custody and the fact that the accused persons have not sexually assaulted the victim, this application is allowed.

9. 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 Chief Judicial Magistrate, Sitamarhi in connection with Bathnaha P.S. Case No. 312 of 2017.

10. As a condition of this order, the bailor should be the mother of the petitioner.

11. As a condition of this order, the petitioner, after being released on bail is directed to co-operate in the trial either by appearing personally or through his lawyer in the trial Court on each and every date fixed by the trial Court. Non-compliance of the condition will result in cancellation of the bail bonds of the petitioner.

(Sandeep Kumar, J)

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