

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5856 of 2024

Arising Out of PS. Case No.-97 Year-2023 Thana- BANGARA District- Samastipur

Nand Kishore Kumar @ Nand Kishore Rai S/O GIRANAND RAI @
Gvirjanand Rai Village- Sarvaspur Chauk, Ps. Sakra, Dist. Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anant Kumar Mishra, Adv

For the Opposite Party/s : Mr. Shyam Bihari Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 17-02-2024 Heard learned counsel appearing on behalf of the
petitioner and learned Additional Public Prosecutor appearing
on behalf of the State.

2. The accused / petitioner is named in the FIR and
apprehending his arrest in a case registered for the offences
punishable under Section 363 and 366 of the Indian Penal Code.

3. The allegation against this petitioner to kidnapped
Niece (Bhanji) of the informant along with other co-accused
persons/ family members for the purpose to solemnized her
marriage against her will.

4. Learned counsel for the petitioner submitted that
during the course of investigation, statement of victim was
recorded under section 164 of the Cr.P.C, where it is
categorically stated by her that she is 18 years old and she left



her father house on his own will. It is further stated thereof that the petitioner was called by victim herself and thereafter, she solemnized her marriage out of her own sweet will with petitioner. It is submitted that the petitioner is a man of clean antecedent.

5. Learned APP for the State opposes the prayer of bail.

6. In view of the aforesaid fact and circumstances and by taking note of fact that the victim girl categorically stated that she went out from the house on her own sweet will to solemnize marriage with petitioner as recorded under section 164 of the Cr.P.C where petitioner is a man of clean antecedent, accordingly, in the event of his arrest or surrender within a period of four weeks, is directed to be released on bail furnishing bail bond of Rs. 10,000 (Rupees Ten Thousand) each with two sureties of the like each to the satisfaction of the learned Judicial Magistrate 1st class Samastipur in connection with N.H.Bangra P.S.Case No. 97 of 2023, Subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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