

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7611 of 2024

Arising Out of PS. Case No.-50 Year-2023 Thana- SIMRI District- Darbhanga

Nitish Bharti @ Nitish Kumar Bharti @ Nitish Bhartiya S/O Ashok Prasad
Bharati @ Ashok Bharti @ Ashok Prasad Bharati R/O Village- Musahari
Kansi, P.S- Simri, Dist.- Darbhanga. Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kedar Jha, Advocate
For the Opposite Party/s : Mr. Uday Pratap Singh, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 26-02-2024 Learned counsel for the petitioner is permitted to
remove the defect(s), as pointed out by the office, if any, within
a period of three weeks from today.

2. Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

3. The petitioner is apprehending his arrest in
connection with Simri P.S Case No. 50 of 2023 dated
06.04.2023 registered for the offence punishable u/s 363, 366A,
34 of the Indian Penal Code.

4. As per the prosecution case, the petitioner and co-
accused person are alleged to have kidnapped the minor
daughter of the informant.

5. Learned counsel for the petitioner has submitted
that the petitioner has falsely been implicated in this case. The
victim has stated in her statement recorded under section 164 of



Cr. p.c that the petitioner did nothing bad against her. The petitioner has no criminal antecedent as stated in para 3 of the bail petition. No specific allegation has been attributed against the petitioner. It is further submitted that the victim was not forced to have illicit intercourse with another person. The allegation against the petitioners is general and omnibus.

6. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner.

7. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Darbhanga in connection with Simri P.S Case No. 50 of 2023, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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