

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42557 of 2024

Arising Out of PS. Case No.-345 Year-2023 Thana- BALIYA District- Begusarai

Nitish Kumar @ Nitish Kumar Choudhari S/o Bablu Chaudhary @ Bablu Pasi R/o Village-choti Ballia, Sati Chora, Ward no. 15, P.S.-Ballia, District-Begusarai Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bipin Kumar, Adv
For the Opposite Party/s : Mr. Kalyan Shankar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 25-06-2024 Heard learned counsel for the petitioner and learned A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Ballia P.S. Case No. 345 of 2023 dated 15.12.2023 registered for the offences punishable u/s 363, 366(A) read with section 34 of the Indian Penal Code.

3. As per the prosecution case, the petitioner is alleged to have kidnapped the minor daughter of the informant to sell or kill her.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. As per the Statement of the victim recorded under Section 164 of the Code of Criminal Procedure, it is clearly stated that the victim girl was in touch with the petitioner for two years and she left the house with her own will. Hence, the



allegation against the petitioner is totally false and fabricated. There is nothing on record showing that she was forced to have illicit intercourse with another person. Learned counsel has further submitted that there is a case and counter case between the parties and the petitioner side also lodged a complaint case bearing Complaint Case No. 2160 of 2023 against the informant and his family members. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 08.01.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the allegation levelled against the petitioner and the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Begusarai, in connection with Ballia P.S. Case No. 345 of 2023.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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