

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68140 of 2024

Arising Out of PS. Case No.-164 Year-2024 Thana- SIRDALA District- Nawada

Nitish Kumar @ Rohit Kumar Son of Bijay Prasad Resident of Village -
Laund, Police Station - Sirdala, District - Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hansraj, Advocate

For the Opposite Party/s : Ms. Asha Kumari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 18-12-2024 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 363 and
366(A) of the Indian Penal Code.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and the informant
alleges that petitioner eloped with his minor daughter aged
about 17 years.

4. Learned counsel for the petitioner submits that
petitioner has been falsely implicated in the instant case by the
informant. It is further submitted that victim and the petitioner
were in love. It is next submitted that victim is a major but even
presuming what has been alleged in the FIR is true without
admitting then the victim had reached the age of discretion



where she was capable of understanding the consequences of her action. It is also submitted that it has been specifically pleaded in the anticipatory bail application that petitioner and the victim have performed their marriage on 13.05.2024 as would manifest from Annexure-2 to the anticipatory bail application and they are living as husband and wife. It is submitted that petitioner is a student of Polytechnic, Jamui.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the submissions made by the learned counsel for the petitioner, let the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Sirdala P.S. Case No. 164 of 2024, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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