

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82558 of 2023

Arising Out of PS. Case No.-396 Year-2023 Thana- HARSIDHI District- East Champaran

Nityanand Kumar @ Vikku Kumar Son Of Kailash Singh Kushwaha R/O
Village- Panapur Bherihari, P.S.- Harisidhi, Dist.- East Champaran

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anuj Kumar

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

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 02-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has filed the instant application for grant of regular bail in a case registered for the offences punishable under Sections 363, 365, 366(A) of the Indian Penal Code and Section 8 of POCSO Act.

Allegation against the petitioner is that he abducted the minor daughter of informant for the purpose of solemnization of marriage.

It is submitted by learned counsel for the petitioner that the petitioner is innocent and he has falsely been implicated in the present case. The victim has been recovered and she has not stated about commission of physical assault by the petitioner,



in her statement recorded under Section 164 of Cr.P.C. Moreover, petitioner is languishing in judicial custody since 01.11.2023. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Harsidhi P.S. Case No. 396 of 2023 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned 6th Additional Sessions Judge-cum-Special Judge POCSO, Motihari, East Champaran.

(Sunil Kumar Panwar, J)

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