

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12646 of 2025

Arising Out of PS. Case No.-277 Year-2022 Thana- BELHAR District- Banka

Nitish Kumar Tanti @ Nitish Kumar Son of Manoj Tanti Resident of Village -
Dhapari, Police Station - Shyampur, Kharagpur, District - Munger

... .. Petitioner/s

Versus

- 1 . The State of Bihar
2. Kiran Devi Wife of Sri Diwakar Pandit Resident of Village - Tengara, P.S. -
Belhar, District - Banka

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee, Advocate

For the Opposite Party/s : Mr. Chandra Sen Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 25-07-2025 Heard learned counsel for the petitioner and the
State .

2. Petitioner apprehends arrest in a case registered for
the offence punishable under sections 363, 366(A)/34 of the
Indian Penal Code and Section 12 of the Protection of Children
from Sexual Offences Act.

3. As per the prosecution case , on the alleged date
and time of occurrence , this petitioner along with other accused
persons are alleged to have kidnapped minor daughter of
informant for the purpose of marriage .

4. Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence . It is



further submitted that as a matter of fact, there was love affair between victim and this petitioner and out of love and affection both of them fled away and petitioner has not kidnapped her. It is further submitted that during investigation , statement of the victim was recorded by the police wherein she denied the prosecution case and stated that she herself called this petitioner and travelled to Haryana but thereafter, in the statement recorded under section 164 of Cr. P C , she completely changed her statement.

5 . Learned counsel for the State oppose the prayer for bail and submitted that victim in her statement recorded under section 164 Cr. P C has supported the prosecution case and categorically stated that this petitioner kidnapped her and kept for 8 days.

6. Considering the nature of accusation , statement of victim recorded under section 164 Cr. P C and other circumstances of the case , prayer for pre-arrest bail of the petitioner is rejected.

(Prabhat Kumar Singh, J)

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