

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76925 of 2024

Arising Out of PS. Case No.-219 Year-2023 Thana- MAHESHKHUNT District- Khagaria

Nishant Kumar @ Surya Pratap Singh S/O Late Vinay Kumar Singh R/O
Village- Patla, P.S- Maheshkhunt, Distt.- Khagaria.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Amit Kumar S/o Vashishtha Narayan Chaudhary R/o Samaspur, P.S.-
Maheshkhunt, Distt.- Kharagia

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Abhimanyu Deo, Adv.
For the State	:	Mr. Nityanand Tiwary, APP
For the Informant	:	Ms. Rashmi Jha, Adv.

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

4 23-01-2025 Heard learned counsel for the petitioner and learned

APP for the State as also learned counsel for the Informant.

Perused the case diary.

2. The petitioner seeks bail in connection with
Maheshkhunt P.S. Case No. 219 of 2023 instituted for the
offences under Sections 363, 366A & 34 of the I.P.C.

3. As per prosecution case, the accusation against the
accused persons including the petitioner is of abducting the
Informant's daughter at the point of weapon. It is also alleged
that the petitioner also assaulted the Informant and his wife and
threatened to kill them.

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



against him and has falsely been implicated in the present case. He further submits that the petitioner and the Informant's daughter are in love with each other and have solemnized their marriage before the Marriage Registrar on 05.04.2024 as well as have also performed marriage with Hindu rituals in the *Arya Samaj Mandir* on the same day. The victim girl has also filed an affidavit before the learned court below stating therein that she had gone with the petitioner on her own sweet will and has also stated that she is pregnant. The petitioner has altogether 20 criminal antecedents as is disclosed in the report dated 15.11.2024 and is languishing in judicial custody since 24.07.2024 without any rhymes or reason. Charge-sheet has been submitted in this case.

5. On the other hand, learned A.P.P. for the State and the Informant have vehemently opposed the prayer for grant of bail to the petitioner, stating that the Informant in his re-statement has reiterated the same version as stated in the F.I.R. In Para-117 of the case diary, the petitioner has confessed his guilt. The petitioner has altogether 20 criminal antecedents. The Medical Report supports the prosecution case. The victim girl in her statement recorded under Section 164 of the Cr.P.C. has fully supported the allegation made against the petitioner and,



hence, the petitioner does not deserve bail.

6. Having heard rival contention of both the parties and considering the statement of the victim girl recorded under Section 164 of the Cr.P.C., this Court is not inclined to grant bail to the petitioner.

7. Accordingly, the prayer for bail of the petitioner, above named, is rejected with a direction to the court below to expedite the trial and conclude the same expeditiously.

(Rudra Prakash Mishra, J)

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