

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78247 of 2024

Arising Out of PS. Case No.-313 Year-2024 Thana- NOORSARAI District- Nalanda

Bittu Kumar Son of Sharwan Kumar R/O Village- Ajnaura, P.O.- Ajnaura,
P.S.- Noorsarai, District- Nalanda

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sanjit Kumar Gaurav Son of Ranveer Kumar R/O Village- Ajnaura, P.O.- Ajnaura, P.S.- Noorsarai, District- Nalanda

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar Singh, Advocate
For the Opposite Party/s : Mr. Kalyan Shankar, APP

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

ORAL ORDER

3 28-01-2025 Heard learned counsel for the petitioner and learned APP
for the State. Perused the case diary.

2. The petitioner seeks bail in connection with
Noorsarai P.S. Case No. 313 of 2024 instituted for the offence
under Section 96 of the Bharatiya Nyaya Sanhita, 2023.

3. As per prosecution case, accusation against the
petitioner is of abducting the daughter of the informant.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 26-07-2024. Petitioner
bears no criminal antecedent, as per disclosure made in
paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's



counsel that petitioner has been falsely implicated in the present case. There is delay of two days in lodging of the FIR. Victim has refused for her medical examination. In her statement recorded under Section 183 of the BNSS, 2023, she has deposed that she herself called the petitioner on cell phone and there is no overt act alleged against him. It is submitted that police after investigation has submitted charge sheet in this case.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. Referring to paragraph Nos. 60 & 61 of the case diary, it is submitted that witnesses have supported the prosecution case.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner, there being no over act against the petitioner and charge sheet being submitted, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Noorsarai P.S. Case No. 313 of 2024.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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