

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.52142 of 2024**

Arising Out of PS. Case No.-446 Year-2023 Thana- KASBA District- Purnia

NITESH KUMAR @ NITISH KUMAR @ NIKKI S/O NAVIN MAHTO @  
POSAN R/O VILLAGE- PARORA, P.S- K.NAGAR, DISTT.- PURNIA.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. OKIL SHARMA S/O LATE SHYAM LAL SHARMA R/O VILLAGE-  
THAKUR TOLA BANAILI, P.O- SADUBELI, P.S- KASBA, DISTT.-  
PURNIA.

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Manoj Kumar Jha  
For the Opposite Party/s : Mr.Sadanand Paswan

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR  
PANDEY**

ORAL ORDER

2      31-07-2024                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner seeks bail in Kasba P.S. Case No.  
446 of 2023 registered for the offence punishable under Section-  
376 of the Indian Penal Code and Sections-3(i)(r)(s)/3(2)(x) of  
SC/ST (POA) Act.

3. It is alleged that informant's minor daughter went  
out of her house to defecate but she did not return. On query, it  
was detected that the petitioner along with one another was  
forcibly getting the informant's daughter seated on a  
motorcycle.

4. Learned counsel for the petitioner has submitted



that the victim went herself with the petitioner. During course of investigation, it was detected that there was love and affection between the petitioner and the alleged victim. During course of investigation, even brother of the victim as per submission of learned counsel for the petitioner has stated that the victim had love and affection with the petitioner. As per medical report, the age of the victim is 18-20 years. Nothing was detected in medical examination of the victim. The petitioner is in custody since 16-03-2024.

5. Learned APP has opposed the prayer for bail.

6. Considering the aforesaid facts and circumstances, let the petitioner named above, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-VI-cum-Special Judge, POCSO, Purnea in connection with Kasba P.S. Case No. 446 of 2023 with condition that the petitioner shall cooperate with the trial of the case and make himself available as and when required by the court.

**(Nawneet Kumar Pandey, J)**

A.K.V.//-

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