

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5121 of 2025**

Arising Out of PS. Case No.-291 Year-2024 Thana- UDAKISHUNGANJ District-
Madhepura

Nitish Kumar S/O Bablu Mehta R/O Village- Madhuban, P.S- Udakishunganj,
Distt.- Madhepura.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Kajal Devi W/O Harikushan Pandit R/O Villlage- Haraili Ward No. 05, P.S-
Udakishunganj, Distt.- Madhepura.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Singh, Advocate
For the Opposite Party/s : Ms. Renu Kumari, APP

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

ORAL ORDER

4 05-05-2025 Heard Mr. Alok Kumar Singh, learned counsel for the
petitioner and Ms. Renu Kumari, learned APP for the State.

2. The petitioner seeks bail in connection with
Udakishunganj P.S. Case No. 291 of 2024 instituted for the
offence under Sections 137(2) & 96 of the Bharatiya Nyaya
Sanhita, 2023.

3. The prosecution case in short is that on 20.08.2024
at 11:00 AM, the informant's daughter was at home but went
missing by 1:00 PM. Later, the informant learnet that the
petitioner had come on a bike and taken her daughter away.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 27-08-2024. Petitioner



bears no criminal antecedents, 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. Learned counsel for the petitioner submits that there is delay of six days in lodging the FIR. From perusal of the FIR, it would reveal that victim on her sweet will went with the petitioner and on pressure of her family, she has falsely implicated the petitioner. It is submitted that there is no sign of sexual intercourse found in the medical report of the victim. Charge sheet is submitted in this case.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. It is submitted that victim in her statement recorded under Section 183 of the BNSS, 2023 has fully supported the prosecution case.

7. Considering the aforesaid facts and circumstances of the case, there being direct allegation against the petitioner, which is fully supported by the victim in her statement recorded under Section 183 of the BNSS, 2023, this Court is not inclined to grant bail to the petitioner. Prayer for grant of bail is, accordingly, *rejected*.

8. However, petitioner will be at liberty to renew his



prayer for bail if the trial is not concluded within a period of six months from today.

(Rudra Prakash Mishra, J)

Raj Kishore/-

U		T	
---	--	---	--

