

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20697 of 2025

Arising Out of PS. Case No.-332 Year-2024 Thana- SONBERSA District- Sitamarhi

Nitish Kumar @ Nitesh Kumar S/o Rajendra Chaudhary R/o vill - Bishanpur
Gonahi, ward no. 2, P.S.- Bhutahi, Distt.- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Madhubala Verma, Advocate
For the Opposite Party/s : Mr. Lalan Kumar, APP

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

ORAL ORDER

4 24-07-2025 Heard learned counsel for the petitioner and learned APP
for the State. Perused the case diary.

2. The petitioner seeks bail in connection with
Sonbarsa P.S. Case No. 332 of 2024 instituted for the offence
under Sections 137(2), 140(3) & 3(5) of the Bharatiya Nyaya
Sanhita, 2023.

3. Prosecution case, in short, is that petitioner along
with other co-accused abducted the daughter of the informant
with wrongful intent.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 31-10-2024. 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. From perusal of the FIR, it would manifest that there is no eye witness to the alleged occurrence and merely on the basis of suspicion, petitioner is implicated in this case. It is submitted that the real fact is that Pushpanjali Kumari (deceased), a major girl aged about 20 years, often left her home on her own and returned later, which caused frequent disputes within her family. On the alleged date, she again left home and later returned, but the next day her dead body was found in a nearby pond. It is submitted that this is a case of honour killing, and to divert suspicion, a false case was lodged against the petitioner and his family due to previous enmity. A petition was also submitted by villagers to the SDPO suspecting either honour killing or suicide, and no witness has seen the petitioner or others taking the deceased away from her house. Police after completion of investigation has submitted charge sheet in this case under Sections 108 & 3(5) of the Bharatiya Nyaya Sanhita, 2023.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. As per paragraph Nos. 19 & 20 of the case diary, petitioner along with other co-accused persons were seen near the pond where the



dead body of the deceased has been recovered. As per postmortem report, abrasion were found on the lip of the deceased, caused by hard and blunt substance.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner, there being no cogent material 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 Sonbarsa P.S. Case No. 332 of 2024.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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