

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23259 of 2025

Arising Out of PS. Case No.-9 Year-2025 Thana- SHAMBHUGANJ District- Banka

Nitish Kumar @ Chhotu Kumar @ Nitesh Kumar S/o Ramvilash Tanti R/o
Village- Bariyarpur, P.S.- Bariyarpur, District- Munger

... .. Petitioner/s

Versus

1. The State of Bihar
2. Pankaj Kumar S/o Late Jhunjhun Mandal R/o Village- Bari Khaujari, P.S.-
Shambhuganj, District- Banka

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brij Nandan Prasad, Advocate.

For the Opposite Party/s : Mr.Binod Kumar, APP.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 20-08-2025 Heard Mr. Brij Nandan Prasad, learned counsel
appearing on behalf of the petitioner and Mr. Binod Kumar,
learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Shambhuganj P.S. Case No. 09 of 2025 registered for the
offence punishable under Sections 96 and 3(5) of the BNS.

3. The allegation is of kidnapping of the minor
daughter of the informant on the pretext of marriage.

4. Learned counsel appearing on behalf of the
petitioner submitted that the victim in her statement recorded
under Section 183 BNSS has not supported the allegation made
in the F.I.R. The petitioner is innocent and he has clean
antecedent.

5. Learned APP for the State has vehemently opposed
the prayer for grant of pre-arrest bail to the petitioner.



6. Considering the statement of the victim recorded under Section 183 BNSS in which she has not supported the allegation made in the F.I.R. rather she has stated that she is willing to live along with the petitioner and will marry after attaining the age of 18 years, the petitioner, above named, is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the Court below within a period of four weeks from today, 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 Act, Banka in connection with Shambhuganj P.S. Case No. 09 of 2025, subject to the condition as laid down under Section 438(2) Cr.P.C / 482(2) BNSS.

7. The District Court is directed to verify the criminal antecedent of the petitioner and if it is found that the petitioner is involved in some other cases as what has been stated in Para-3 of the bail petition, this order will automatically lose its force.

8. The bail application stands disposed of.

(Purnendu Singh, J)

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