

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29010 of 2025

Arising Out of PS. Case No.-484 Year-2023 Thana- BASANTPUR District- Siwan

Nitish Kumar @ Nitish Kumar Sah S/o- Binod Sah Village- Janki Nagar, PS.
- Badsantpur, District- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raghav Prasad, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 28-07-2025 Heard Mr. Raghav Prasad, learned counsel for the

petitioner and Mr. Navin Kumar Pandey, learned Additional

Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Basantpur P.S. Case No. 484 of 2023, F.I.R. dated 16.09.2023 for the offences punishable under Sections 363, 366(A) of the Indian Penal Code.

3. According to prosecution case, on 15.09.2023 at 9:00 A.M., the informant's 15-year-old daughter, Kitu Kumari, left for school but later informed her mother that her cycle chain had broken, causing a delay. She did not return home by evening, prompting a search. It was later learned that Sanjeev Kumar allegedly took her, with Nitish Kumar Sah and Ritesh Kumar Sah accused of assisting him. The informant also stated that Sanjeev Kumar had previously threatened to kidnap her.



4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case and the petitioner has not committed any offence, as alleged in the F.I.R. From a bare perusal of the F.I.R., it appears that the informant has implicated one Nitish Kumar (the petitioner) and one Sanjeev Kumar in the F.I.R. and it appears from the F.I.R. that the petitioner has no role at all in the present occurrence.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that the victim has recorded her statement under Section 164 of the Cr.P.C./Section 183 of the B.N.S.S. in which she has categorically stated that the petitioner along with the other co-accused persons have abducted her and date of birth of the victim girl is 19.12.2008, which suggests that on the date of occurrence, she was a minor.

6. Considering the aforesaid facts and circumstances, I am not inclined to grant the privilege of anticipatory bail to the petitioner.

7. Prayer is refused.

(Rajesh Kumar Verma, J)

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