

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.29575 of 2025**

Arising Out of PS. Case No.-47 Year-2023 Thana- BASANHI District- Saharsa

Nitit Kumar @ Nitish Kumar @ Nitish Kumar Sharma Son of Gopal Sharma  
Resident of Sahsoula, Tola Bathnaha, P.S.- Basnahi, District - Saharsa  
... .. Petitioner/s

Versus

1. The State of Bihar  
2. Sanjiv Kumar Jha, S/o Late Revati Raman Jha, Residents of Sahsoul Tola  
Bathnaha, P.S. Basnahi, District Saharsa  
... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Rakesh Bihari Singh, Advocate  
For the Opposite Party/s : Mr. Chandra Sen Prasad Singh, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

- 3      06-08-2025                      1. Heard learned counsel for the petitioner, learned  
A.P.P. for the State and learned counsel appearing on behalf of  
the informant.
2. The petitioner seeks bail in a case registered for the  
offences punishable under Section 366(A) of the Indian Penal  
Code as well as Sections 4 and 18 of the POCSO Act.
3. Learned counsel for the petitioner submits that  
petitioner is a person with clean antecedent and is in custody  
since 17.02.2025 and in sum and substance, the allegation  
against the petitioner is that he kidnapped the daughter of the  
informant.
4. Learned counsel for the petitioner submits that  
petitioner and the victim were in love and they eloped and  
performed their marriage. It is further submitted that though in



the FIR, it is alleged that victim is a minor but then victim is a major by now and on the date of occurrence she had reached the age of discretion. It is further submitted that victim is staying with the petitioner and petitioner is taking all care of the victim and she even talks to her mother.

5. Learned counsel appearing on behalf of the informant submits that at the time of the occurrence, the victim was a minor on which learned counsel appearing on behalf of the petitioner submits that victim was a minor but then submits that it is not in dispute that petitioner and the victim has married and she is staying with the petitioner.

6. Learned A.P.P. for the State is present.

7. After hearing the learned counsel for the parties, the petitioner, above named, is directed to be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Trial Court where the case is pending in connection with Basnahi P.S. Case No. 47 of 2023.

**(Satyavrat Verma, J)**

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