

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53801 of 2025

Arising Out of PS. Case No.-41 Year-2025 Thana- ARARIA District- Araria

Nitish Kumar Yadav @ Nitish Yadav, S/o Late Arun Yadav R/o Vill- Khabda
Kanhaili, Ward No. 09, P.S.- Narpatganj, Distt- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gopal Kumar Jha, Advocate

For the Opposite Party/s : Mr. Binod Kumar No.3, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

3 17-10-2025 Heard Mr. Gopal Kumar Jha, learned counsel for
the petitioner and Mr. Binod Kumar No.3, learned APP for the
State.

2. Petitioner seeks regular bail in connection with
Araria P.S. Case No. 41 of 2025 dated 07.02.2025 registered for
the offences punishable under Sections 137(2), 87 and 3(5) of
the Bharatiya Nayaya Sanhita.

3. The main submissions advanced by the petitioner's
counsel are that the petitioner has been languishing in jail since
30.04.2025, against him the investigation has been completed
and the allegations levelled against him by the victim are not
believable, as admittedly, the victim entered into friendship with
the petitioner through 'Instagram' and thereafter, voluntarily
went with him, firstly to Bengaluru and thereafter to Goa, from



where she was brought back and as per the victim's educational certificate, she is 19 years old. It is further submitted that, after coming back from Goa, the victim made allegations before the Judicial Magistrate under the pressure of her parents.

4. Learned APP appearing for the State has opposed the prayer for bail of the petitioner and submits that there is serious allegations against this petitioner and he is 32 years old while the victim is 19 years old, so, the petitioner's plea as to both having entered into friendship, is completely unbelievable.

5. Heard both the sides and perused the FIR and the trial court's order. Though there is serious allegation against this petitioner, however, considering his custody period and completion of investigation against him, this Court is inclined to release him on bail. Accordingly, let the petitioner named-above be released on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the concerned Court in connection with Araria P.S. Case No. 41 of 2025 **on the following condition:-**

(i). As the petitioner has been languishing in jail since 30.04.2025, so, the trial court is directed to proceed with the framing of charges against the petitioner as per the provisions of



law and **the petitioner will be released after the framing of charges.**

6. If, for any legal reason, charges are not framed upon the petitioner without any fault on the part of the petitioner, then the petitioner will be released after one month from the date of this order.

(Shailendra Singh, J)

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