

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60781 of 2025

Arising Out of PS. Case No.-734 Year-2024 Thana- BIHAR District- Nalanda

-
1. Nitish Kumar S/o Lalo Mahto R/o Village and Post- Pegari, P.S.- Waris Aliganj, District- Nawada.
 2. Rakesh Kumar @ Rakesh S/o Lalo Mahto R/o Village and Post- Pegari, P.S.- Waris Aliganj, District- Nawada.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Amit Kumar S/o Sant Kumar R/o Village- Rasalpur, Post and P.S.- Bind, District- Nalanda

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alok .
For the Opposite Party/s : Mr.Jai Narain Thakur

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

3 12-09-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners seek bail in connection with Bihar
P.S. Case No. 734 of 2024 registered for the offence punishable
under Sections-137(2), 96 and 3(5) of B.N.S.

3. According to allegation, the sister of the informant
went to market but she did not return. She is still traceless. The
informant came to know that the co-accused Udit Kumar and his
brothers Nitish Kumar and Rakesh Kumar (petitioners)
kidnapped her.

4. Learned counsel for the petitioners has submitted



that as a matter of fact, the victim had love and affection with Udit Kumar and the petitioners have been made accused in the present case merely because they are own brothers of co-accused Udit Kumar.

5. By order dated 10-09-2025, the Superintendent of Police, Nalanda was directed to submit a report in respect of whereabouts of the victim.

6. The Additional Superintendent of Police, Nalanda is physically present today in court. He submits that he is taking his level best efforts to procure the appearance of co-accused Udit Kumar and the victim. On 30.07.2025, according to submission of the Additional Superintendent of Police, Nalanda,, the processes under the provisions of 82 & 83 Cr.P.C. have already been issued. It has also been submitted that during course of investigation, the video clip was detected in which, the co-accused Udit Kumar and the victim were seen and the victim was stating in that video clip that she has solemnized marriage with co-accused Udit Kumar. The petitioners are own brothers of co-accused Udit Kumar with whom, the victim is alleged to have solemnized marriage.

7. The personal appearance of the Superintendent of Police, Nalanda is dispensed of.



8. Learned APP has opposed the prayer for bail by submitting that processes under the provisions of 82 and 83 Cr.P.C. have already been issued.

9. Considering the fact that the processes under the provisions of 82 and 83 Cr.P.C. have been issued, the petitioner is directed to surrender before the court below and seek regular bail which shall be considered on its own merit without being prejudiced by this order and the same be disposed of on same day taking into account this fact that the victim has solemnized her marriage with the co-accused Udit Kumar.

10. With the aforesaid observation, this application is disposed of.

(Nawneet Kumar Pandey, J)

A.K.V.//-

U		T	
---	--	---	--

