

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4951 of 2026

Arising Out of PS. Case No.-100 Year-2024 Thana- CHERIYA BARIYARPUR District-
Begusarai

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Nitish Kumar S/o Rambabu Paswan R/o-Village-Bharkaha Ward No.-12, P.S.-
Cheriya-Bariyarpur, Dist.-Begusarai.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Usha Devi W/o Rampravesh Paswan R/o vill - Bharkaha Chowk, ward no. 8,
P.S.- Cheriya Bariyarpur, Distt.- Begusarai

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr. Onkar Nath, Advocate
For the State	:	Mr. Rajesh Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 11-02-2026 Heard learned counsel appearing on behalf of the

petitioner and learned APP appearing on behalf of the State.

2. The petitioner apprehends his arrest in a case

registered for the offence punishable under Section 366A of the

Indian Penal Code.

3. The prosecution case, in brief, is that on 20.05.2024

at about 10 AM, minor daughter of informant aged about 15

years went to purchase some household articles but did not

return. On search, informant came to know that all the F.I.R.

named accused persons, including this petitioner, have

kidnapped her minor daughter for the purpose of marriage.

4. It is submitted by learned counsel appearing on



behalf of the petitioner that petitioner is quite innocent and has committed no offence. As a matter of fact, both parties are co-villagers and due to petty dispute, this false and concocted case has been lodged. It is further submitted that during investigation, the victim was recovered and her statement was recorded under Section 183 of the B.N.S.S. wherein she has denied the *factum* of kidnapping and has categorically stated that she herself left her house and went to her uncle at Delhi to continue her studies. It is further submitted that co-accused Sanjita Devi, having similar and identical allegations, has already been granted the privilege of anticipatory bail by this Hon'ble Court vide order dated 02.07.2025 passed in *Cr. Misc. No. 19915 of 2025*. Petitioner claims clean antecedents.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioner.

6. Considering the facts and circumstances of the case, statement of victim recorded under Section 183 of the B.N.S.S., claim based on parity and clean antecedents of the petitioner, the prayer for grant of anticipatory bail to the petitioner is allowed.

7. Accordingly, in the event of arrest/surrender within



a period of eight weeks from today, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-1, Manjaul (Begusarai) in connection with Cheriya Bariyarpur P.S. Case No. 100 of 2024, subject to condition as laid down under Section 482(2) of the B.N.S.S..

(Prabhat Kumar Singh, J)

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