

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38520 of 2026

Arising Out of PS. Case No.-409 Year-2025 Thana- DHAKA District- East Champaran

Nitish Kumar Son of Satyendra Das Resident of Village- Kushwanshi Nagar,
Police Station- Dhaka, District- East Champaran at Motihari.

... .. Petitioner/s

Versus

1. The State of Bihar
2. XXXX Wife of YYYY Resident of Village- Kushwanshi Nagar, P.S.- Dhaka,
District- East Champaran at Motihari.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashank Shekhar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 23-06-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under Sections 137(2), 96, 87 and 3(5) of the B.N.S.

3. The case of the prosecution, in short, is that the petitioner has kidnapped the minor daughter of the informant.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has been falsely implicated in this case. Learned counsel for the petitioner has submitted that during course of investigation, the victim has given her



statement under Sections 180 and 183 of the B.N.S.S.. In her statement under Section 180 of the B.N.S.S., she has stated that she left home with the help of the petitioner being fed up with the illicit relationship of her mother with her cousin and in her statement under Section 183 of the B.N.S.S., she has stated that as she was being beaten by her mother, she left the house, came to Bargania. There, she met the petitioner who is her class fellow. After that, they went to Motihari. He kept her in a rented room. She lived there for seven days. When she came to know that a case has been filed against the petitioner, the petitioner boarded her in a bus. It has further been submitted that Nitish has never used force against her. Learned counsel for the petitioner has further submitted that from perusal of the medical examination report, it will transpire that the age of victim has been assessed between 17 to 19 years. Petitioner is having no criminal antecedent and he is languishing in judicial custody since 25.04.2026.

5. Learned APP appearing for the State has vehemently opposed the application for bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail. The above named



petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, East Champran at Motihari in connection with Dhaka P.S. Case No. 409 of 2025.

(Ashok Kumar Pandey, J)

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