

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44088 of 2026

Arising Out of PS. Case No.-367 Year-2025 Thana- CHANDAUTI District- Gaya

Nitish Kumar, Son of Krishna Thakur, Resident of Village - Singhari, P.S-
Goh, District -Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brijmohan Das, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 08-07-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. In the present case, the petitioner seeks bail in connection with Chandauti P.S. Case No. 367/2025, registered for the offences under Sections 137/140(3) of BNS.

3. As per the prosecution case, the minor daughter of the informant went missing and the informant named this petitioner, who told the informant that he had brought his daughter to Haryana. The family members of the petitioner, when inquired by this informant, abused him.

4. Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this case. The statement of the victim girl was recorded under Section 183 BNSS wherein she did not support the prosecution



case against the petitioner. She did not allege any wrongful act on the part of the petitioner and rather she stated that she called out the petitioner and voluntarily left for Haryana with the petitioner. The learned counsel further submits that the FIR has been lodged after a delay of six days without any explanation. Cognizance in this case has been taken on 04.05.2026 under Section 137(2) of BNS. The learned counsel further submits that the medical examination of the victim was conducted and the age of the victim was found to be 18-19 years. The learned counsel further submits that the petitioner is in custody since 02.03.2026 and is having clean antecedents.

5. Learned A.P.P. appearing for the State opposes the submission made on behalf of the petitioner.

6. Having regard to the fact and circumstances and submission made on behalf of the parties and considering the voluntary nature of act of the daughter of the informant and further considering the period of custody of the petitioner and his clean antecedent and also considering the fact that after submission of charge sheet, cognizance has been taken against him, the petitioner is directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the



satisfaction of learned Chief Judicial Magistrate, Gaya/court concerned, in connection with Chandauti P.S. Case No. 367 of 2025, subject to the condition laid down under Section 480(3) of the BNSS and other following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

V.K.Pandey/-

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