

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49190 of 2026

Arising Out of PS. Case No.-445 Year-2024 Thana- KHAGARIA District- Khagaria

Nitish Kumar Son of Gopal Mandal Resident of village- Gali No 3 Purani
Durga Asthan PS- Sultanganj District -Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dr. Iti Suman, Advocate

For the Opposite Party/s : Mr. Ashok Kumar Singh, A.P.P

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR

ORAL ORDER

2 22-07-2026 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Khagaria P.S. Case No. 445 of 2024 in a case registered for the offence punishable under Sections 137(2), 96 and 3(5) of B.N.S.

3. The prosecution case, in brief, is that the informant, Santosh Kumar Singh, alleged that on 06.09.2024, a Flipkart delivery agent, Sonu Kumar, came to his house to deliver a mobile phone in the name of Lakshmi Kumari. Later that night, the F.I.R. named accused persons, acting in furtherance of a common intention, allegedly kidnapped the informant's minor daughters, Lakshmi Kumari and Anshu Kumari, by forcibly taking them in a four-wheeler during the Teej festival. Upon inquiry, the accused persons were found absconding. The informant further alleged that the accused were involved in kidnapping girls for trafficking,



murder, and illegal organ trade.

4. Learned counsel for the petitioner submitted that the petitioner is innocent and has falsely been implicated in the present case. Lastly, the counsel submitted that petitioner has no criminal antecedent.

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

6. Having heard the parties and looking into the allegation of kidnapping of two minor girls, I am not inclined to grant anticipatory bail to the petitioner.

7. Accordingly, the prayer for grant of anticipatory bail to the petitioner is, hereby, rejected.

8. However, if petitioner surrenders before the concerned Trial Court within a period of six weeks from today then in that case, the Trial Court is directed to pass an order on his surrender-cum-bail application, without being prejudice that the anticipatory bail of the petitioner has been rejected by this Court and the Trial Court shall pass order on the merit of this case.

(Alok Kumar, J)

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