

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57085 of 2025

Arising Out of PS. Case No.-430 Year-2022 Thana- PURNEA SADAR District- Purnia

Nitish Kumar S/o- Sri Bechan Thakur Resident of Belouri P.S-Muffasil, Dist-
Purnea

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Amit Kumar Anand, Advocate

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

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 09-02-2026 Heard learned counsel appearing on behalf of the

petitioner and learned A.P.P. for the State.

2. The accused/petitioner seeks bail in connection
with Sadar (Muffasil) P.S. Case No. 430 of 2022 registered
for the offences under Sections 363 and 365 of the Indian
Penal Code and subsequently added section 364/34 of the
I.P.C.

3. The accused/petitioner is not named in the First
Information Report and is in custody since 25.06.2025.

4. Allegation against the petitioner is to kidnap the
minor son of the informant aged about 16 years, who was
missing since 13.06.2022 at about 10:00 A.M.

5. It is submitted by learned counsel appearing on



behalf of the petitioner that initially FIR was lodged regarding missing son of the informant, who was missing at about 10:00 A.M. on 13.06.2022, but during course of investigation, as a matter of an afterthought, while recording re-statement, the informant named this petitioner and other co-accused persons out of oblique motive. Petitioner is the cousin of missing son of the informant. It is pointed out that informant is not an eye witness of the occurrence and, further similarly situated co-accused namely, Bechan Thakur has already granted privilege of bail by one of the learned coordinate Bench of this Court vide order dated 12.04.2023 through Cr. Misc. No. 64711 of 2022, and therefore, this petitioner, as a matter of judicial parity also deserves bail.

6. While concluding argument, it is submitted that petitioner is a man of clean antecedent and, moreover, investigation of this case is already concluded, for which charge-sheet has been submitted and as such, there is no chance of tampering with the evidence.

7. Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.



8. In view of aforesaid factual submission and by taking note of the fact as *prima facie* name of this petitioner transpired out of re-statement of informant, where admittedly informant is not an eye witness of the occurrence, coupled with the fact that petitioner, who is a man of clean antecedent, remains in custody since 25.06.2025, accordingly, above-named petitioner is directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Purnea/concerned court, in connection with Sadar (Muffasil) P.S. Case No. 430 of 2022, subject to the condition as laid down under Section 437(3) Cr.P.C/Section 480(3) of the Bhartiya Nagarik Suraksha Sanhita (in short “B.N.S.S.”).

(Chandra Shekhar Jha, J)

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