

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.70212 of 2025

Arising Out of PS. Case No.-759 Year-2025 Thana- NAWADA District- Nawada

Nitish Kumar S/o Ashlok Yadav R/o Village - Kusumbha, P.S - Sheikhpura,
District – Sheikhpura Petitioner/s

Versus

1. The State of Bihar
2. X D/o Bhushan Kumar R/o Village - Line Paar, Mirzapur, P.S - Town,
District – Nawada Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Durgesh Nandan
For the Opposite Party/s : Mr.Ramchandra Sahni

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

4 05-01-2026

Re:- **I.A. No. 01 of 2025.**

2. The present interlocutory application has been filed
for early hearing.

3. Considering the grounds mentioned in the
application, this interlocutory application is ***allowed***.

Later on

4. The petitioner is seeking regular bail in connection
with Nawada Town P.S. Case No. 759 of 2025, registered for the
offences punishable under Sections 74, 75(2) of the BNS, 2023
and Sections 8 and 12 of the POCSO Act.

5. The prosecution case, in short is that on 15.07.2025,
the petitioner is a teacher at S.N. Classes, Mirzapur, allegedly
called a 14-year-old student to the rooftop and behaved
inappropriately, on the basis of which, the case was registered.

6. The learned counsel for the petitioner has submitted
that paragraph 14 of the case diary shows that the classmates of
the victim named therein have stated during their examination that
the victim was sleeping on the last bench of the class. The
petitioner, who was a teacher, warned her and as a result, this case



was lodged. He has further submitted that the investigating authority had submitted final form but ignoring that the cognizance has been taken.

7. Considering the above-mentioned facts and circumstances, let the petitioner above-named, is directed to furnish bail bond and on doing so, the court below shall release the petitioner on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Special Judge (POCSO)-Cum- Additional Sessions Judge-VIth, Nawada in connection with Nawada Town P.S. Case No. 759 of 2025, subject to the following conditions that the petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.

8. The petitioner shall remain physically present in the court below on each and every date till conclusion of the trial.

9. After accepting the bail bond, the criminal antecedent of the petitioner shall be verified and if, it is found that he is involved in any other case except the present one, his bail bond shall be cancelled.

(Nawneet Kumar Pandey, J)

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