

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77378 of 2025

Arising Out of PS. Case No.-169 Year-2025 Thana- KATORIYA District- Banka

Nitish Kumar Yadav @ Nitish Kumar, S/O Raghu Yadav, Resident Of Village-
Dokhri, Ps- Katoria, Dist- Banka

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sunita Devi, W/O Dhanraj Yadav, Resident Of Village- Dokhri, Ps- Katoria,
Dist- Banka

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ravi Prakash Dwivedi, Adv.
For the Opposite Party/s	:	Ms. Renuka Ratnaka, APP
For the Informant	:	Mr. Pankaj Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

3 17-01-2026 Heard learned counsel for the petitioner, learned
A.P.P for the State and learned counsel for the informant.

2. The petitioner seeks bail in connection with Katoriya P.S. Case No. 169 of 2025 dated 06.06.2025 registered for the offence punishable under Section 96 of the Bharatiya Nyaya Sanhita in which charge-sheet has been submitted under Section 96 of the B.N.S. as well as under Section 8 of the POCSO Act, but cognizance has been taken under Section 87 of the B.N.S. and under Section 8/12 of the POCSO Act.

3. The prosecution case, in short, is that the



accused petitioner used to talk with the informant's minor daughter (aged about 17 years) on mobile due to which disputes occurred several times. It is further alleged that on 05.06.2025 the said accused came to the house of informant and took away her daughter with intention to marry her. When the informant reached at home, she came to know about the incident from her younger daughter. Thereafter, she went at the house of accused, where the said accused abused and threatened with dire consequences.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. It is submitted that the alleged victim girl was recovered on the same day and her statement was recorded under Section 183 B.N.S.S., in which she stated that she was in love with Nitish Kumar Yadav (petitioner) for about 4 years so, his mother kept her in the house of petitioner's uncle. After getting major, she wants to get married with the petitioner and the petitioner also wants to marry her. The date of birth of victim girl is of 04.05.2008. It is also stated that at the time of alleged occurrence she was 17 years old. Lastly, it has been submitted that the petitioner is in custody



since 07.06.2025, having no criminal antecedent and charge-sheet has been submitted in the case.

5. On the other hand learned counsel for the informant appeared but did not oppose the prayer for grant of bail of the petitioner.

6. Learned A.P.P for the State opposes the prayer for bail of the petitioner.

7. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-VI-cum-Special Judge, POCSO, Banka in connection with Katoriya P.S. Case No. 169 of 2025.

(Khatim Reza, J)

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