

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76750 of 2025

Arising Out of PS. Case No.-115 Year-2023 Thana- KURTHA District- Jehanabad

NITISH KUMAR @ MANORANJAN @ BABLU S/O RAVIKANT YADAV
@ CHHAVIKANT YADAV R/o vill - Chamandi, P.S.- Kurtha, Distt.- Arwal

... .. Petitioner/s

Versus

1. The State of Bihar
2. Mr. X S/o Mr. Y R/o vill - Chamandi, P.s.- Kurtha, District- Arwal

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Hastina Pratap, Advocate
		Mr. Prakhar Praveen, Advocate
For the Opposite Party/s	:	Mr. Tarun Prasad Mandal, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 16-01-2026

1. Heard learned counsel for the parties.

2. The petitioner has renewed his prayer for grant of regular bail in connection with Kurtha P.S. Case no.115 of 2023 registered under section 363 of the Indian Penal Code.

3. As per the prosecution case, the informant states that his daughter who left home at 9 a.m. on 1.4.2023 did not return and was not to be found inspite of search.

4. Learned counsel for the petitioner submits that the earlier application for bail of the petitioner was rejected vide order dated 11.4.2025 passed in Cr. Misc. no.1653 of 2025. The petitioner has been falsely implicated in the case. The informant and the petitioner were well acquainted with each other since long. Referring to one another case between the same parties for



a similar occurrence being Kurtha P.S. Case no.302 of 2023, learned counsel for the petitioner submits that bail was granted to the petitioner vide order dated 11.4.2025 passed in Cr. Misc. no.1661 of 2025. Referring to the statement under section 164 Cr.P.C made in the said case, it is submitted that while the informant/victim described her age to be 17½ years old therein, she categorically stated that she went with the petitioner out of her own volition and has married him. With respect to the facts of the instant case, learned counsel submits that the victim has already been examined as Prosecution Witness-2 in course of trial. She has categorically stated therein in paragraph no.2 that the petitioner did not misbehave with her. It is submitted that the petitioner has remained in custody for over 2 years since 4.10.2023 and undertakes to cooperate in the trial.

5. The prayer for bail is opposed by learned A.P.P for the State. It is submitted that pursuant to the direction of this Court contained in order dated 28.11.2025, notice was served on the opposite party no.2 and affidavit to the said effect has been filed in this case.

6. Having heard learned counsel for the parties and taking into consideration the allegations against the petitioner in the F.I.R, the victim already having been examined in the



learned trial Court, the submissions made on behalf of the petitioner as recorded herein above especially with respect to the contents of the order dated 11.4.2025 granting bail to the petitioner in the connected similar case and the petitioner having remained in custody for 2 years since 4.10.2023, the petitioner is directed to be enlarged on bail in connection with Kurtha P.S. Case no.115 of 2023 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Sessions Judge-VI-cum-Special Judge (POCSO), Jehanabad.

(Partha Sarthy, J)

Shiv/-

U		T	
---	--	---	--

