

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83950 of 2025

Arising Out of PS. Case No.-357 Year-2021 Thana- CHHATAPUR District- Supaul

Nisthu Kumar @ Nisthu Kumar S/o Anil Kumar Pandey R/o vill - Laxmipur
Kate Gama, Chandisthan, ward no. 15, P.s.- Kumar Khand, Distt.- Madhepura

... .. Petitioner/s

Versus

1. The State of Bihar
2. XXX, W/o Md. Hasim, R/o Chunni, Ward No. 1, P.S. Chhatapur, District –
Supaul.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Naresh Kumar Mehta
For the Opposite Party/s : Mr.Anil Kumar Singh No. 1

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 06-01-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for offence under Sections 363, 365, 366A, 34 of the Indian Penal Code and Sections 8 / 17 of the POCSO Act.

3. The prosecution case, in brief, is that on 11.10.2021 at about 4 AM (morning), informant's daughter went to defecate, but did not return and on search, the informant came to know that her daughter has been taken away by this petitioner on a motorcycle.

4. Learned counsel for the petitioner submits that petitioner is quite innocent and has committed no offence. As a matter of fact, there was love affairs between the petitioner and



the victim and both of them fled away and solemnized marriage. The victim, in her statement recorded under Sections 161 and 164 of Cr.P.C., has denied the *factum* of kidnapping and has specifically stated that she left her house at her own volition with this petitioner and solemnized marriage with him. Petitioner claims clean antecedent.

5. Learned A.P.P. for the State has opposed the prayer for anticipatory bail.

6. Considering the statement of the victim recorded under Sections 161 and 164 Cr.P.C., the prayer for anticipatory bail of petitioner is allowed. Accordingly, in the event of arrest/surrender before the Court below within a period of eight weeks from today, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned District and Additional Sessions Judge-cum-Special Judge, POCSO Act, Supaul in connection with Chhatapur P.S. Case No. 357 of 2021, subject to condition as laid down under Section 438(2) of the Cr.P.C./Section 482 of the B.N.S.S., 2023.

(Prabhat Kumar Singh, J)

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