

In the Court of Additional Sessions Judge - I, Darbhanga

Present : Neeraj Kumar - II, BHJS, BR00552

ABP No. 832/2026

(Arising out of Mahila P.S. Case No. 10/2026)

Nitish Mishra Versus the State of Bihar

Nitish Mishra, S/o Sri Sunil Mishra, R/o Village - Gopalpur, P.S. - Kamtaul, District - Darbhanga

----- Petitioner

versus

State of Bihar

----- Opposite Party

Appearance(s):

Counsel for the Petitioner(s) : Sri Ujjwal Kumar, Learned Advocate.

Counsel for the State : Sri A. N. Jha, Learned Public Prosecutor.

ORDER

10.06.2026

1. The petitioner above named sought anticipatory bail in connection with Mahila P.S. Case No 10/2026 registered for the offences under Section 69, 115(2), 126(2), 351(2), 352, 3(5) of the Bhartiya Nyay Sanhita (hereinafter referred to as 'BNS' for short).
2. Learned counsel appearing on behalf of the petitioner submitted that he was innocent and had not committed any offence. It was further submitted that petitioner had not filed bail petition of any sort earlier this court or either before any superior court. It was also stated that the petitioner has no criminal antecedent. It was further submitted that the petitioner apprehends arrest at the hands of the police or taken to be custody if surrender before the learned court. It was further stated that the allegations are false baseless and concocted. It was also submitted that the petitioner has no manner of concern with the occurrence as alleged in FIR. It was also submitted that the informant with some ulterior motive at the instance of local politician the Mukhiya against whom the petitioner not cast vote initiated and lodged present case made accused in this case. It was further submitted that the informant concealed the real fact implicated this petitioner and now she openly demand money question extortion. It was also submitted that no offence u/s 65 of BNS is attracted against this petitioner. It was further submitted that informant filed criminal case vide CR 318/2023 on 20.03.2023 against her husband which pending by SDJM, Darbhanga. It was submitted that the petitioner was ready to abide by the condition(s) imposed upon him by the learned court. The learned counsel prayed for grant of anticipatory bail to the petitioner.
3. Learned Public Prosecutor opposed the prayer of bail and prayed to reject it.
4. Heard both the sides, perused the case record and the case diary.
5. The allegation against the petitioner is that he trapped the prosecutrix in a romantic relationship with him in pretext of marrying her. It is alleged that he sexually exploited the prosecutrix. When the prosecutrix went to his house the family members of the petitioner assaulted and verbally abused her.

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6. From perusal of FIR it is clear that the prosecutrix was mature married lady and three children were born out of wedlock with her husband. The prosecutrix entered into physical relation with petitioner despite subsistence of her previous marriage.
7. In the facts and circumstances as discussed above, the instant anticipatory bail petition filed on behalf of the petitioner namely **Nitish Mishra** stands **allowed**. In the event of arrest or surrender by the petitioner within 21 (Twenty One) days of receipt/production of this order, he is directed to be released on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of Learned Jurisdictional Court concerned with an undertaking as stipulated under Section 482(2) of the BNSS.
8. It is made clear that this order has no bearing on the merits of the case.
9. Let a copy of this order be sent to the concerned Jurisdictional Court.
10. Let this case record be deposited in the Record Room, Civil Court, Darbhanga after all due diligence.

(Neeraj Kumar - II)
Addl. Sessions Judge-I
Darbhang
10.06.2026

Date of Order	10.06.2026
Date of Reserving Order	10.06.2026
Uploading Date	10.06.2026
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