

IN THE COURT OF ADDITIONAL SESSIONS JUDGE-I, GAYA
ANTICIPATORY BAIL PETITION No. 4686/2025

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Nitish Kumar @ Nitish Kamat S/o Ganesh Kamat
Both R/o village- Sirnuwara, P.S. Anrer,
District- Madhubani

----- Petitioner

VERSUS

The State of Bihar

----- Opposite Party

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23.06.2026

An anticipatory bail petition has been filed on behalf of above named accused/petitioner, who are apprehending his arrest in connection with **Muffassil P.S. Case No. 773/2024**, for the offences registered **U/s. 87 3(2) of BNS, pending in the Court of Ld. CJM, Gaya.**

Heard both the sides on the bail application.

Learned defence counsel, submitted that prior to this, the petitioner has not filed either anticipatory or regular bail petition before this Court or before the Hon'ble Patna High Court. It is further submitted that petitioner is innocent, committed no offence and has falsely been implicated in this case. It is further submitted that delay in lodging the F.I.R. has not been explained by the prosecution. Both accused petitioner as well as victim girl are in love affair with each other. It is further submitted that there is no offence made out for kidnapping against the petitioner, which is evident from the F.I.R. Lastly, he submitted that the petitioners have one criminal antecedent vide Paraiya P.S. Case No. 225/2024, which was lodged by the informant's maternal uncle Rishi Giri for the same act of offence. Hence, it is prayed to grant the privilege of anticipatory bail to the accused petitioner.

Per contra the Ld. A.P.P. appeared on behalf of State opposed the prayer for bail.

Prosecution case, in brief, as per informant is that her aunt's daughter (Mausi ki Beti) namely Shruti Kumari has been living at his house since 26.08.2024. On 05.09.2024 she went to Nauranga Temple to take vegetables, but she did not return back home. In spite of intensive inquiry, he could not find her. On 06.09.2024 Shruti Kumari called from Mobile No. 7633929818 to informant's mobile number and told that she eloped with Nitish Kamat with intention to solemnize marriage with him. He has fully belief that accused petitioners Ganesh

Kamat, Vina Devi, Nitish Kamat and one other have kidnapped her with intention to got solemnized marriage with Nitish Kamat.

Heard both the parties and perused the material available on record. From perusal, it appears that petitioner is named in the F.I.R., There is allegation against the petitioner of kidnapping the victim with intention to solemnize marriage with him. In her Statement recorded U/S 183 of BNSS, before the Ld. Judicial Magistrate, Gayaji, the victim stated that her parents has died since then she used to live at her maternal aunt's house where they always threatened her and due to this reason, she left her maternal aunt's house and went to Madhubani to join her husband Nitish Kamat (petitioner) but from where (Madhubani) Maternal Aunt took her forcefully to his house. She also stated in her statement that she was being threatened by maternal aunt to get aborted her three months pregnancy. Report regarding age of the victim, issued by Head Master of Uchch Madhyamik Vidyalaya, Paraiya Khurd, Gaya is attached with the Trial Court Record, in which it has been mentioned that victim is studying in Class 9th and her date of birth is 06.01.2009 whereas the date of occurrence is of 10.09.2024 as such the age of the victim on the alleged date of occurrence was 15 years, 08 months and 04 days. Allegation against the accused petitioner is serious in nature. Investigation against the accused petitioner is still going on.

Considering the aforesaid facts and circumstances of the case, other materials on record and with regard to pending stage of the investigation, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the prayer of anticipatory bail filed and moved on behalf of the petitioner, above named, is hereby **rejected**.

(Dictated)

Sd/-

(Shashi Kant Ojha)

Addl. Sessions Judge-1, Gaya

23.06.2026