

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85830 of 2024

Arising Out of PS. Case No.-73 Year-2024 Thana- BIHRA District- Saharsa

Om Prakash Yadav @ Om Prakash Kumar S/o- Nasib Yadav Village-Paharpur
ward no 8 P.S -Simri Bakhtiyarpur District- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vivekanand Singh, Adv.

For the Opposite Party/s : Mr. Humayou Ahmad Khan, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 16-12-2024 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 the offences punishable under Sections 363, 366A/34 of the
Indian Penal Code.

3. Allegedly, the petitioner along with his mother is said to
have kidnapped the minor daughter of the informant.

4. It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has committed no offence. No
such occurrence as alleged has ever taken place. He has falsely
been implicated in this case due to ulterior motive. The
allegation levelled against the petitioner is totally false and
based on concocted facts. From perusal of the FIR, it is evident
that the informant is not an eye witness to the alleged
kidnapping of his daughter. The age of the victim is not



mentioned in the FIR. During course of investigation, the statement of the victim has been recorded under Section 164 Cr.P.C. in which she has not supported the prosecution case and stated that she left her house and fled away with this petitioner with her sweet will and on 20.05.2024 she solemnized marriage with the petitioner in a temple of Begusarai. Learned counsel further submits that petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposes the prayer for bail.

6. Considering the facts and circumstances of the case as well as the statement of the victim recorded under Section 164 Cr.P.C., let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with Bihra P.S. Case No.73 of 2024, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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