

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.4654 of 2025**

Arising Out of PS. Case No.-11 Year-2024 Thana- RAJNAGAR District- Madhubani

Prakash Pathak @ Prakash Kumar Pathak S/O Ramakant Pathak R/O Village-  
Madhubani Nagar, P.S- Town, Distt.- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                      |   |                                  |
|----------------------|---|----------------------------------|
| For the Petitioner/s | : | Mr. Manoj Kumar Pandey, Advcoate |
|                      | : | Ms. Kumari Pallavi, Advocate     |
| For the State        | : | Mr. Jitendra Kumar Singh, APP    |

**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**  
**ORAL ORDER**

3      09-05-2025                      Heard Mr. Manoj Kumar Pandey, learned counsel for  
  
the petitioner and Mr. Jitendra Kumar Singh, learned APP  
  
representing the State.

2. The petitioner is apprehending his arrest in  
connection with Rajnagar P.S. Case No. 11 of 2024 for the  
offence under Sections 363, 341, 323, 504, 506, 34 and 366-A  
of the Indian Penal Code, lodged on 20.01.2024 by the  
informant, Vikash Kumar Mishra.

3. As per the prosecution story, the informant alleged  
that as they were sleeping, the minor daughter went missing.  
Expecting the petitioner to have taken her away, went to their  
place but was abused by the family members. This led to the  
F.I.R.



4. In this case, the coordinate Bench had called for the case diary which included the statement of the victim girl according to which she left the place on her own and refused medical examination.

5. Learned counsel for the petitioner submits that he had no role to play in the alleged leaving of the victim from her house.

6. Learned APP opposes the prayer submitting that he used to talk the girl which led to his implication.

7. Taking into account the aforesaid facts as also the statement of the victim girl and further, she chose not to go for the medical examination, F.I.R. is there, the petitioner shall be facing the trial, in that background, this Court is inclined to extend him the privilege of anticipatory bail.

8. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Madhubani, in connection with Rajnagar P.S. Case No. 11 of 2024, subject to the conditions as laid down under Section 438(2) of the Cr.P.C., as also with the following conditions:-



(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her bail bond by the Trial Court itself;

(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of bail bonds.

**(Rajiv Roy, J)**

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