

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7314 of 2025

Arising Out of PS. Case No.-168 Year-2023 Thana- CHAND District- Kaimur (Bhabua)

Anil Yadav Son of Jamwant Yadav Resident of Shiroampur, P.S.- Chand,
District- Kaimur at Bhabua

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pawan Kumar Singh

For the Opposite Party/s : Mr. Mithlesh Kumar Khare

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 3 12-05-2025 1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Chand Police Station Case No. 168 of 2023, dated 25.08.2023, disclosing offences under Sections 363/366A of the Indian Penal Code.
3. The prosecution case, as per the First Information Report, is that on 24.07.2023 while the daughter of the informant aged about 16 years had gone to her school, the petitioner and his brother Sunil Yadav kidnapped the informant's daughter and took her away on motorcycle. The informant and his wife having come to know about the same went to the house of Jamwant Yadav, father of the petitioner and his brother, and informed him about the



occurrence committed by his sons, where upon, Jamwant Yadav promised to look into the matter. The informant tired his best to search his daughter but failed.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has not committed any offence in the manner alleged and he has falsely been implicated in the present case merely because he happens to be the brother of the co-accused Sunil Yadav. He next submits that in the statement recorded under Section 164 of the Code of Criminal Procedure, the victim girl has disclosed her age as 16 years and has further stated that the alleged occurrence was committed by the petitioner's brother, namely, Sunil Yadav, who kidnapped and took her to Gujarat, where they used to live separately in two rooms for two years and after request by the victim girl, the co-accused Sunil Yadav brought her back, whereupon the police arrested them. However, nothing has been alleged against the petitioner by the victim girl. The petitioner is a student having no criminal antecedent.
5. Having regard to the submissions made on behalf of the parties and taking into consideration the statement of victim girl recorded under Section 164 of the Code of



Criminal Procedure, I am inclined to grant the petitioner privilege of anticipatory bail.

6. This application is, accordingly, allowed.
7. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Bhabhua (Kaimur), in connection with Chand Police Station Case No. 168 of 2023, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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