

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10110 of 2025

Arising Out of PS. Case No.-245 Year-2023 Thana- BARHARA District- Bhojpur

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Akash Kumar @ Aakash Kumar, S/o Veejay Yadav @ Vijay Yadav, Resident
of Ram Phal Ka Tola, P.S.- Khawashpur (Barhara), District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raj Krishna Jha, Advocate.

For the State : Mr. Upendra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

8 02-12-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. Earlier vide order dated 20.06.2025, the petitioner was granted interim/provisional bail in connection with Barhara P.S. Case No. 245 of 2023 registered for the offences punishable under Sections 363 and 366(A) of the Indian Penal Code.

3. As per allegation, 15 years old daughter of the informant went to answer the call of nature on 26.04.2023 at 4:00 A.M. However, she could not come back. Hence, the family members of the informant started searching her. In course of search, they came to know that she has been kidnapped by the petitioner and his parents as well as his two sisters with intent to marry her.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has falsely been implicated in this case. He further submits that other than the petitioner, all the co-accused have already been enlarged on anticipatory bail. He also submits that even after investigation, there is no material on record which may connect the petitioner with the alleged offence. During investigation, Mobile phone, slipper and scarf (*Orhni*) belonging to the missing girl was found on the bank of *Ganga* river in the Police Station Barhara. However, there is no further evidence in regard to the alleged offence.

5. Neither the missing girl has been traced nor any clue has been found by the Police. Police is totally clueless which is apparent from the investigation report. Even supplementary investigation report has been received by this Court and that report does not show any clue in regard to the alleged offence which may connect the petitioner with the alleged offence. The whole case is based only on suspicion.

6. Perused the case diary and up-to-date investigation report.

7. I find that the missing girl is still not traced and no clue has been found by the Police regarding the alleged offence till date which may show any connection between the alleged



offence and the petitioner.

8. Considering the aforesaid facts and circumstance, the provisional bail granted to the petitioner vide order dated 20.06.2025, in connection with Barhara P.S. Case No. 245 of 2023 is confirmed.

(Jitendra Kumar, J)

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