

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12856 of 2025

Arising Out of PS. Case No.-106 Year-2024 Thana- BHAGWANPUR HAT District- Siwan

Aditya Kumar Son of Guddu Prasad Resident of Village- Kauriya, Tole
Raman Ray, P.S. -Bhagwanpur Hat, District -Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Javed Aslam

For the Opposite Party/s : Mr. Shahabuddin Azeem @ S. Azeem

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 02-04-2025 1. 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 offence punishable under Sections 363,
366(A) and 34 of the Indian Penal Code.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and the informant
alleges that his minor grand daughter aged about 17 years was
kidnapped by Rohit and the petitioner.

4. Learned counsel for the petitioner submits that
petitioner has been falsely implicated in the instant case by the
informant. It is further submitted that the date of occurrence is
21.03.2024 and the F.I.R. came to be instituted on 24.03.2024
i.e. after a delay of three days without any plausible explanation.



It is further submitted that victim and Rohit were in love as such they eloped and the petitioner being brother of Rohit came to be implicated. It is also submitted that from the Admit card of the victim annexed as Annexure-2 to the anticipatory bail application, it would manifest that her date of birth is recorded as 12.08.2005 as such on the date of occurrence the victim was 18 years 7 months. It is further submitted that the victim has come back and her statement under section 164 Cr.P.C. was recorded under parental pressure, as such she implicated the petitioner. It is also submitted that petitioner will not abscond rather will co-operate in the investigation to prove his innocence.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Siwan in connection with Bhagwanpur Hat P.S.



Case No.106/2024, subject to the conditions as laid down under
Section 438 (2) of the Cr.P.C.

7. However, it is made clear that in the event if the
Investigating Officer of the case files an application before the
learned trial court bringing to its notice that the petitioner
despite giving assurance to this court is not co-operating in the
investigation in that event the learned trial court shall be at
liberty to cancel the bail bonds of the petitioner.

(Satyavrat Verma, J)

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