

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14087 of 2025**

Arising Out of PS. Case No.-154 Year-2024 Thana- Geedha District- Bhojpur

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1. Anil Kumar @ Anil Prasad S/o Vimal Prasad Resident of village- Kaardihara, P.S- Panwana, District- Bhojpur.
 2. Sanjeet Kumar @ Sanjeev Prasad S/o Vimal Prasad Resident of village- Kaardihara, P.S- Panwana, District- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raju Kumar Singh, Advocate
For the Opposite Party/s : Ms. Pronoti Singh, APP
For the Informant : Mr. Vishal Pd. Advocate

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

2 23-04-2025 Heard Mr. Raju Kumar Singh, learned counsel

for the petitioners, Mr. Vishal Pd. Learned counsel appearing on

behalf of the informant as well as Ms. Pronoti Singh, learned

Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in
connection with Gidha P.S. Case No. 154 of 2024, F.I.R. dated
20.10.2024 for the offences punishable under Sections 137(2)
and 96 of the Bhartiya Nyaya Sanhita, 2023.

3. According to prosecution case, all the accused
persons including these petitioners have kidnapped the daughter
of the informant.

4. Learned counsel for the petitioners submits that



petitioners have clean antecedent and they have falsely been implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioners have not committed any offences as alleged in the F.I.R. He further submits that the petitioners were made accused in the present case merely on the ground that they are the brothers of co-accused, namely, Sunil Prasad. In fact, the informant has previously lodged case bearing Ara Nawada P.S. Case No. 465 of 2024 in which the victim girl was recovered and her statement was recorded under Section 164 of the Cr.P.C. / Section 183 of the BNSS in which she has categorically stated that she has performed marriage with the brother of the petitioners namely, Sunil Prasad and thereafter, the informant has filed the present case only to harass the petitioners and their family members.

5. The learned counsel appearing on behalf of the informant as well as learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioners.

6. Considering the aforesaid facts and circumstances that the petitioners have clean antecedent and they have been made accused only on the ground that they are brother of the co-accused, Sunil Prasad who has performed marriage with the



victim, let the petitioners, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, 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 the learned Chief Judicial Magistrate, Bhojpur at Ara in connection with Gidha P.S. Case No. 154 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-

i. Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

ii. If the petitioners tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for



cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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