

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17643 of 2025

Arising Out of PS. Case No.-238 Year-2024 Thana- SASARAM MUFFSIL District- Rohtas

1. Abhay Tiwary S/o- Late Harishankar Tiwary Resident of Village- Dumra, P.S.- Kargahar, District- Rohtas
2. Abhishek Tiwary S/o- Sri Abhay Tiwary Village- Dumra Ps- Kargaghar Dist- Rohtas
3. Vivek Tiwary S/o- Abhay Tiwary Village- Dumra Ps- Kargaghar Dist- Rohtas

... .. Petitioner/s

Versus

1. The State of Bihar
2. Prem Shankar Dubey S/o- Rajeshwar Dubey Village- Tetari Ps- Sasaram M Dist- Rohtas

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Shashi Kant, Advocate
For the State	:	Mr. Nityanand, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 20-11-2025 Heard learned counsel appearing on behalf of the petitioners and learned APP appearing on behalf of the State.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Section 366A of the Indian Penal Code.

3. As per prosecution case, it is alleged that F.I.R. named accused person, with the help of some unknown persons, kidnapped the minor daughter of informant.

4. It is submitted by learned counsel appearing on behalf of the petitioners that petitioners are quite innocent and



have committed no offence. Petitioners are not named in the F.I.R.. Name of petitioners transpired in this case during during course of investigation merely on the basis of suspicion and there is no material on record to show the complicity of these petitioners in the alleged occurrence.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioners and submitted that during course of investigation, the victim was recovered and in her statement recorded under Section 164 of the Cr.P.C., she has supported the prosecution case and has named these petitioners and stated that they were also involved in the kidnapping. The learned trial court has assessed the age of victim as 16 years.

6. Considering the facts and circumstances of the case, specific and direct nature of accusation, gravity of offence and statement of the victim recorded under Section 164 of the Cr.P.C., the prayer for grant of anticipatory bail to the petitioner is rejected.

(Prabhat Kumar Singh, J)

shashank/-

U		T	
---	--	---	--

