

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.19306 of 2025**

Arising Out of PS. Case No.-1441 Year-2024 Thana- PHULWARISHARIF District- Patna

Dinesh Yadav S/O Dharmvir Singh @ Dharmbir Singh @ Dharmvir Yadav  
R/O Village- Nirmalichak, P.S- Khusrupur, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                      |   |                                                        |
|----------------------|---|--------------------------------------------------------|
| For the Petitioner/s | : | Mr. Sanjay Kumar Mishra, Adv.<br>Mr. Ashok Kumar, Adv. |
| For the State        | : | Mr. Parmanand Prasad, APP.                             |
| For the Informant    | : | Mr. Jay Ram Prasad, Adv.                               |

**CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA**  
**ORAL ORDER**

4      29-05-2025      Heard learned counsel for the petitioner, learned APP for the State and learned counsel for the informant.

2. The petitioner seeks bail in a case registered for the offences punishable under Sections 329(4), 126(2), 115(2), 137(2), 96, 352 and 3(5) of the B.N.S., 2023.

3. The allegation in the FIR is that the petitioner, who happens to be the cousin brother-in-law of the informant, took along with him the sister of the informant on point of arms on a motorcycle. It has also been alleged that some loot of cash and ornaments was also done from the house of the informant.

4. Learned counsel for the petitioner submits that the petitioner is the cousin brother-in-law of the victim girl and there was good relation between them and earlier also she used



to frequently visit the house of her cousin sister, who is the wife of the petitioner. It is also submitted that the allegation in the FIR with regard to loot etc. also shows that a false case has been instituted against the petitioner. The statement of the victim girl has been recorded under Section 183 of the B.N.S.S. which is a part of the case diary and the same would show that the petitioner had no doubt forcibly taken the victim along with him, but it was stated that she was travelling on his motorcycle to different places and she has specifically stated that she was not tied up and she made no attempt to contact her family member. It is next submitted therein that no wrong was committed with her and finally on 26.09.2024, her brother, who is the informant in the present case, traced her and brought her back to the house. It is further submitted that from para 23 of the case diary, it would be clear that the victim has refused to get herself medically examined by a written application. Further, it is submitted that the petitioner is in custody since 27.09.2024 and the stage of the case is that charges have already been framed, however, no witness has yet been examined.

5. Learned APP for the State and learned counsel appearing for the informant, however, vehemently oppose the prayer for regular bail on the ground that the petitioner had kidnapped the sister of the informant on gun point and also



submit that the petitioner would once again indulge in similar acts after coming out of custody.

6. Considering the above-mentioned facts and circumstances and particularly the period of custody and the fact that charges have already been framed, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Phulwarisharif P.S. Case No. 1441 of 2024, subject to the following conditions that:

(I) The petitioner upon his release from custody would mark his attendance before the Investigating Officer of the local Police Station every month till the conclusion of the trial.

(II) The petitioner would remain physically present in the court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

**(Soni Shrivastava, J)**

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