

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22213 of 2025

Arising Out of PS. Case No.-29 Year-2024 Thana- Naya Bhojpur District- Buxar

Yogiraj Singh @ Bikku Singh S/o Nandu Singh R/o Village-Haratua P.S.-
Lesliganj, Distt- Palamu, Jharkhand

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Manish Rai Sharma, Advocate
For the State	:	Mr. Chandra Bhushan Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 23-04-2025

Heard the parties.

2. The petitioner is apprehending his arrest in connection with Naya Bhojpur P.S. Case No. 29 of 2024 for the offence under Sections 87, 96, 140(3), 142 and 3(5) of the B.N.S., lodged on 09.11.2024 by the informant, Manorama Devi.

3. As per the prosecution story, the allegation is that this petitioner along with other co-accused took away the minor daughter on the pretext of marriage and only after the intervention of the 'Mukhiya' the girl was brought back to him. This led to the F.I.R.

4. Learned counsel for the petitioner has taken this Court to medical report attached with the petition of Sadar



Hospital, Buxar where the age of the girl has been ascertained to be 18 to 20 years and further it has been recorded that she is pregnant by fifteen weeks.

5. Learned counsel for the petitioner submits that they solemnized marriage, the girl is major, the child belongs to the petitioner and presently, she is residing with his family members. He submits that although the same has not been put on affidavit, his statement be recorded that the girl, major, pregnant, is residing with the family of the petitioner and if such statement is found to be incorrect and if granted relief, his anticipatory bail be deemed infructuous.

6. Learned APP opposes the prayer for bail submitting that now if the contention of the petitioner is correct, she is carrying the child of this petitioner, is major, relief may be granted.

7. Considering the aforesaid facts as also the statement that has been recorded on behalf of the petitioner by learned counsel, Mr. Manish Rai Sharma, in that background, this Court is inclined to extend him the privilege of anticipatory bail.

8. However, to ascertain the correctness of the statement made by the learned counsel for the petitioner, the



concerned court shall summon the girl/victim in question along with her credentials and only after confirming that she is continuing with this petitioner, should accept the bail bond of the petitioner.

9. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Buxar, in connection with Naya Bhojpur P.S. Case No. 29 of 2024, subject to the conditions as laid down under Section 438(2) of the Cr.P.C., as also with the following conditions:-

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her bail bond by the Trial Court itself;

(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for



cancellation of the bail bonds;

(iv) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of bail bonds.

(Rajiv Roy, J)

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