

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26457 of 2025

Arising Out of PS. Case No.-323 Year-2023 Thana- AMAS District- Gaya

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Akash Thakur @ Akash Kumar Son of Umesh Thakur Resident of Vilalge-
Parshava, P.S.- Chekri, District- Gaya (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shailesh Kumar Singh, Advocate
For the State : Mr. Sanjay Kumar Tiwary, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 16-07-2025 Heard Mr. Shailesh Kumar Singh, learned counsel for

the petitioner as well as Mr. Sanjay Kumar Tiwary, learned

Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Amas P.S. Case No. 323 of 2023, F.I.R. dated
04.09.2023 for the offences punishable under Sections 363, 366A
of the IPC.

3. According to prosecution case, the petitioner
along with one another co-accused is said to have kidnapped the
daughter of the informant. When informant tried to contact him,
his mobile number found switched off.

4. Learned counsel for the petitioner submits that
petitioner has no criminal antecedent and he has 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 petitioner has not committed any offences as alleged in the F.I.R. In fact, the petitioner was in love with the victim girl and solemnized marriage with her. After marriage, the victim girl was living in the house of the petitioner as his wife and she is blessed with a baby girl child. It is further submitted that the victim is ready to become the bailor in the present case. It is further submitted that the petitioner has produced Annexure-2 which was issued by the Government of Gujarat which suggest that the petitioner has performed court marriage with the victim on 02.05.2024.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances, clean antecedent of the petitioner, let the petitioner, above named, in the event of his 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) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M., Sherghaty, Gaya in connection with Amas P.S. Case No. 323 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/ 482 (2) of the BNSS, 2023 and with other



following conditions:-

i. One of the bailors should be the victim, namely,
Anshu Kumari Jitendra Singh.

ii. Petitioner 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 his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

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

iv. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. 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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