

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27155 of 2025

Arising Out of PS. Case No.-120 Year-2024 Thana- TARARI District- Bhojpur

Vishwamitra Kumar @ Bhishma Yadav @ Abhay Kumar son of Dinanath
Singh Resident of Village- Barahana PS- Etarhi, Dist- Buxar

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sabit Devi wife of Surendra Ram village- Sarfora, Ps- Tarari, Dist- Bhojpur

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar, Advocate

For the Opposite Party/s : Mr. Anil Kumar Singh No. 1, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 25-04-2025 Heard Mr. Manoj Kumar, learned counsel for the

petitioner and Mr. Anil Kumar Singh No. 1, learned Additional

Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Tarari P.S. Case No. 120 of 2024, F.I.R. dated 03.06.2024 for the offences punishable under Sections 366 of Indian Penal Code.

3. As per the First Information Report, the informant alleged that her daughter after talking on her mobile fled away from the her house with someone with intention to marry.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. The allegation levelled against



the petitioner is false and fabricated and the petitioner has not committed any offence as alleged in the FIR. The victim was recovered and her statement was recorded under Section 164 Cr.P.C/183 B.N.S.S in which she has not supported the case of the prosecution.

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

6. Considering the aforesaid facts and circumstances, the petitioner has clean antecedent and the victim has not supported the case of the prosecution in her statement recorded under Section 164 Cr.P.C/183 B.N.S.S, let the petitioner, 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) with two sureties of the like amount each to the satisfaction of the learned C.J.M, Bhojpur in connection with Tarari P.S. Case No. 120 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. 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.

ii. 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.

iii. 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 bond 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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