

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32096 of 2025

Arising Out of PS. Case No.-62 Year-2017 Thana- NIMACHANDPURA District- Begusarai

1. Paddu Yadav @ Ram Badan Yadav S/o Late Devju Yadav R/o vill- Chandpura, ward no. 11, P.O and P.S- Nima Chandpura, District- Begusarai
2. Shiv Nandan Yadav @ Ram Nandan Yadav S/o Late Devju Yadav R/o vill- Chandpura, ward no. 11, P.O and P.S- Nima Chandpura, District- Begusarai
3. Sushil Kumar @ Sushil Kumar Yadav S/o Paddu Yadav @ Ram Badan Yadav R/o vill- Chandpura, ward no. 11, P.O and P.S- Nima Chandpura, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Md. Shakir Ahmad, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 20-05-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. In this present case, the petitioners are apprehending their arrest in connection with Nima Chandpura P.S. Case No. 62 of 2017, registered on 12.09.2017 for the offences under Sections 363, 366A and 34 of the Indian Penal Code.

3. As per prosecution case, the minor daughter of the informant went missing and on inquiry, the informant came to know that petitioner Sushil Kumar Yadav enticed her away with intention of marrying her. Subsequently, she received a phone



call wherein petitioner Sushil Kumar Yadav told her that he would bring back her daughter. When the daughter did not return, the informant approached the petitioner nos. 1 and 2 Paddu Yadav and Shiv Nandan Yadav who assured her that girl would come back but she did not return and the FIR was lodged.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. The victim girl has been recovered and her statement was recorded wherein she stated that she went to the house of her sister without informing her mother. The police submitted closure report but the learned ACJM differing from the police report, took cognizance against the petitioners under Sections 363, 366A and 34 of IPC. In the medical examination of the victim girl her age was assessed to be 18-20 years. Learned counsel further submits that it is a case of false implication in the light of statement of the victim recorded under Section 164 of IPC. The petitioners are having clean antecedent.

5. Learned APP opposes the prayer for anticipatory bail. Learned APP submits that the learned ACJM took cognizance against the petitioners finding material against them.

6. Having regard to the facts and circumstances and



submissions made on behalf of the parties and considering the doubtful nature of allegation against the petitioners without any substantive material and further considering the clean antecedent of petitioners coupled with possibility of false implication, let the petitioners, in the event of their arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned J.M.-1st Class, Begusarai/concerned court in connection with Nima Chandpura P.S. Case No. 62 of 2017, subject to the conditions as laid down under Section 482(2) of the B.N.S.S. and other following conditions:

- (i) One of the bailors will be a close relative of the petitioners.
- (ii) The petitioners will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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