

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35056 of 2025

Arising Out of PS. Case No.-62 Year-2025 Thana- BASOPATTI District- Madhubani

Tej Narayan Mandal S/o Late Bhukhan Mandal R/o Village- Damu, Ward No. 4, P.S.- Basopatti, District- Madhubani

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rinku Devi W/o Mukesh Rai R/o vill - Damu Ward no. 1, P.S.- Basopatti, Distt.- Madhubani

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Md. Soban Asghar, Advocate
For the Opposite Party/s	:	Mr. Madan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 20-08-2025 Heard Learned Counsel for the petitioner and
Learned APP for the State.

2. The present criminal miscellaneous application has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as ‘the BNSS, 2023’) for grant of anticipatory bail to the petitioner who apprehends arrest in connection with Basopatti P.S. Case No. 62 of 2025, lodged on 20.03.2025, under Sections 137(2)/96 of the Bhartiya Nyay Sanhita, 2023.

3. As per the prosecution, FIR has been lodged against two named accused persons including the present petitioner with allegation that the informant’s daughter is alleged to have been



kidnapped by the petitioner and another by four wheeler.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel submits that the recovery of victim has been made. On the previous occasion case-diary along with statement under Section 183 of the B.N.S.S. was called for. She deposed her statement under Section 183 of the BNSS before the Court. Counsel submits that the criminal antecedent of the petitioner is clean. Counsel further submits that petitioner is ready to fulfill all the conditions whatsoever shall be imposed upon him.

5. Learned APP for the State opposes the prayer for bail of the petitioner but fairly submits that antecedent of the petitioner is clean and the victim in her statement recorded under Section 183 Cr.P.C. has not alleged anything against the petitioner; rather she deposed before the Court that hot discussion took place between the mother and daughter, due to which the victim went to her maternal grand-mother's house Nepal. When returned then it has been found that her mother has filed the case. Thereafter, she went with her mother to the police and subsequently deposed her statement.

6. In the present facts and circumstances of this case, let the above named petitioner be released on anticipatory bail,



in the event of arrest or surrender before the learned Court below within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) as mentioned in Section 2(1)(d) of the BNSS, 2023 to the satisfaction of Additional Sessions Judge, Madhubani, in connection with Basopatti P.S. Case No. 62 of 2025, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023.

7. And further condition that the Trial Court 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 Trial Court 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.

(Dr. Anshuman, J)

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