

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38556 of 2025

Arising Out of PS. Case No.-459 Year-2024 Thana- HISUWA District- Nawada

Vinay Kumar Son of Kishun Prasad Yadav Resident of Village - Guruchak,
Police Station - Hisua, District - Nawadah.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Lakshmi Kant Sharma, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 25-06-2025 Learned counsel for the petitioner prays for and is

allowed to correct the date of the FIR in paragraph-4 of the

petitioner in course of the day.

2. Heard the parties.

3. The petitioner is apprehending his arrest in

connection with Hisua P.S. Case No. 459 of 2024 for the offence

under sections 140(1), 61(2) and 3(5) of the B.N.S. lodged on

06.08.2024 by the informant, Saurabh Kumar.

4. As per the prosecution story, the informant alleged

that demanding Rs. 1,00,000/-, Kaushal Yadav and his

associates kidnapped his cousin Hariom Sharan Raghav. This

led to the FIR.

5. Learned counsel for the petitioner submits that

contrary to the allegation, there is dispute relating to the tuition



fees in which a minor scuffle took place, annexure-2 would show that Kaushal Yadav also lodged the FIR which followed the present case. Kaushal Yadav has already been granted relief by the learned Court below.

6. Learned APP opposes the prayer submitting that he was part of the group of Kaushal Yadav who took away the informant's cousin.

7. Taking into account the submissions of the parties as also that there is case and counter-case, allegation is against Kaushal Yadav who has been granted relief, as stated above, this petitioner has no criminal antecedent, in that background, this Court is inclined to extend him the privilege of anticipatory bail with conditions.

8. 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, Nawada in connection with Hisua P.S. Case No. 459 of 2024 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(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 bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his attendance;

(iv) 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;

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

(Rajiv Roy, J)

Adnan/-

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