

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47592 of 2025

Arising Out of PS. Case No.-55 Year-2025 Thana- NARPATGANJ District- Araria

Shambhu Kumar Yadav S/o Raj Kumar Yadav Resident of village- Hanuman
Nagar, Ward no 01, P.S.- Narpatganj, Fulkaha, District- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Rana, Advocate

For the Opposite Party/s : Mr. Ashok Kumar Singh, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 29-08-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Narpatganj P.S Case No. 55 of 2025 dated 12.02.2025/ registered for the offence punishable u/s 137(2), 96 of the B.N.S.

3. As per the prosecution case, on 07.02.2025 at about 7.00 P.M., Anjali Kumari came and took the minor daughter of the informant towards west canal for attending the call of nature where Mithilesh Kumar Yadav saw that the co-accused Sonu Kumar Yadav and Shambhu Kumar riding on a motorcycle were fleeing away with the victim by covering her with the shawl and Manjesh Yadav one of three persons riding on another motorcycle was also fleeing away behind the first motorcycle.



Other two persons were not identified by him. When her daughter did not return, the informant went to the house of Anjali Kumari and inquired into the matter then she said that her daughter went to her house. It is further alleged that when Mithilesh Kumar Yadav told about the incident, the informant and others went to the house of Sonu Kumar Yadav then his mother said that Sonu Kumar Yadav, Manjesh Yadav and Sintu Yadav went altogether outside and they have not returned till now. When the informant told that his daughter was kidnapped by them then her mother said that her daughter would return her house till morning. The informant believed that his daughter was kidnapped by the aforesaid accused persons in a conspiracy.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is submitted that informant is not an eye witness of the alleged occurrence and one Mithilesh Kumar Yadav has seen the accused persons taking away the victim girl on a Pulsar Motorcycle. It is further submitted that under section 183 of the B.N.S.S. that victim is 19 years old and co-accused Sonu Kumar Yadav gave sindoor in her Mang for the purpose of marriage and no any allegation of assault has been made by the victim girl. The petitioner has no criminal antecedent as stated in para 3



of the bail petition. Similarly situated other co-accused has been granted anticipatory bail by this Court vide order dated 02.07.2025 passed in Cr. Misc. No. 37461 of 2025.

5. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner.

6. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Araria in connection with Narpatganj P.S. Case No. 55 of 2025, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure, with further condition:

(i) The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner are liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

Raj Ranjan/-

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