

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48105 of 2025

Arising Out of PS. Case No.-19 Year-2025 Thana- Sarbahada District- Gaya

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1. Umesh Chaudhary S/o Banshi Chaudhary R/o village- Khesari, P.s.-
Neemchak, District- Gaya
 2. Sugiya Devi W/o Umesh Chaudhary R/o village- Khesari, P.s.- Neemchak,
District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Radhe Shyam, Advocate
For the State : Syed Ehteshamuddin, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 30-07-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. The present petition has been filed on behalf of the
petitioners, apprehending their arrest, in connection with
Sarbahda PS. Case No.-19 of 2025, dated 03.03.2025, registered
for the offences punishable under Sections 137(2) and 96 of
B.N.S., 2023.

3. As per allegation, the minor daughter of the
informant was kidnapped by son of the petitioners and when the
informant came to the house of the petitioners to complain
against kidnapping of his daughter by the son of the petitioners,
he was misbehaved by the petitioners.



4. Learned counsel for the petitioners submits that the Petitioners are innocent and have falsely been implicated in this case. He further submits that the main allegation is against the son of the petitioners and petitioners are only his father and mother and there is no allegation of their role in kidnapping the minor daughter of the informant. The allegation against the petitioners is frivolous.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioners have not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the petition that the petitioners have no criminal antecedents.

7. Learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioners above-named, to be enlarged on bail, in the event of their arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on their furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned concerned Court Below, in connection



with Sarbahda P.S. Case No. 19 of 2025, subject to the conditions as laid down under Section 482 (2) of the B.N.S.S., 2023 and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioners have any criminal antecedents, learned court below shall cancel the bail bonds of the petitioners after hearing them and getting satisfied that the petitioners have concealed their criminal antecedents despite their knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioners.

(Jitendra Kumar, J)

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