

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56499 of 2025

Arising Out of PS. Case No.-423 Year-2022 Thana- DARIYAPUR District- Saran

1. Nitish Kumar S/o- Om Prakash Ram Village- Madarpur PS-Bheldi Distt- Chapra
2. Ravi Kumar S/o- Lalan Ram Village- Madarpur PS-Bheldi Distt- Chapra
3. Pramod Ram @ Anurodh Ram S/o- Rajnath Ram Village- Madarpur PS-Bheldi Distt- Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Mukesh Kumar Suman, Advocate
For the State	:	Mr. Damodar Prasad Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 25-08-2025 Heard learned counsel appearing on behalf of the
petitioners and learned APP appearing on behalf of the State.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 363, 366A and 34 of the Indian Penal Code.

3. As per prosecution case, it is alleged that all the FIR named accused persons, including these petitioners, kidnapped minor daughter of informant as well as daughter of a co-villager.

4. It is submitted by learned counsel appearing on behalf of the petitioners that petitioners are quite innocent and



have committed no offence. Allegation of kidnapping is general and omnibus and no specific overt act has been alleged against these petitioners. Petitioners claim clean antecedents.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioners and submitted that petitioners are named in the F.I.R. with specific accusation that they, along with other F.I.R. named accused persons, kidnapped daughter of informant and daughter of a co-villager. During course of investigation, the victims were recovered and in their statement recorded under Section 183 of the B.N.S.S. they have supported the prosecution case. It is further submitted that this is the second anticipatory bail application on behalf of the petitioners. Earlier, the prayer for grant of anticipatory bail to the petitioners was rejected on merit vide order dated 22.03.2025 passed in *Cr. Misc. No. 8930 of 2025*. In view of the recent judgment of the Hon'ble Supreme Court in the case of ***G.R. Ananda Babu Vs. State of Tamil Nadu and Anr.*** reported in ***2021 SCC OnLine SC 176***, this second anticipatory bail on behalf of the petitioners is not maintainable.

6. Considering the facts and circumstances of the



case, specific and direct nature of accusation, statement of the victims recorded under Section 183 of the B.N.S.S. and judgment of the Hon’ble Apex Court in the case of **G.R. Ananda Babu** (*supra*), the prayer for grant of anticipatory bail to the petitioners is rejected.

(Prabhat Kumar Singh, J)

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