

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59622 of 2024

Arising Out of PS. Case No.-112 Year-2024 Thana- DARIYAPUR District- Saran

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Brajesh Yadav @ Brajesh Kumar S/o Sudarshan Yadav R/o Village Dhanauti
P.S Derni, District Saran

... .. Petitioner/s

Versus

1. The State of Bihar
2. The state of Bihar Advocate General Bihar Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Raj Kumar Rajesh, Advocate Mr. Ravi Prakash, Advocate Mr. Jeet Kishore Mahto, Advocate
For the Informant/s	:	Mr. Krishna Kumar Yadav, Advocate
For the Opposite Party/s	:	Mr. Jharkhandi Uphadyay, APP

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CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

7 27-02-2025 Heard learned counsel for the petitioner; learned counsel

for the informant Mr. Krishna Kumar Yadav and Mr. Jharkhandi

Uphadyay, learned APP for the State.

2. The petitioner has prayed for regular bail in a case

registered for the offence punishable under Sections 363, 366A

of the Indian Penal Code.

3. The case of the prosecution is that the minor daughter

of the informant who is a student of Girls School, Dighwara of

class 9th has gone to take tuition on 03.03.2024, after that, she

did not returned for a considerable time. She was having a

mobile having No. 7759911558. From two numbers, there was



messaging on this mobile. The informant suspects that Brajesh Yadav, who was chatting with the minor daughter of the informant has kidnapped her.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. He has got no criminal antecedent. It is also submitted that during course of investigation, the CDR was collected by the I.O., but from the CDR, it transpires that the mobile number which is said to be of the victim is of one Anruddh Yadav. It is not clear from the materials available on case diary as to how the mobile number of Anruddh Yadav was being used by the victim. There is no explanation as well. If for a moment, it is considered that the petitioner was having talks with the victim, then also, there is nothing on the case diary to show that he has kidnapped her, only one fact is there that victim has still not been recovered. Regarding this, learned APP for the State, Mr. Jharkhandi Uphadyay has filed a counter affidavit which goes to show that SIT has been formulated for search of the victim. It is further submitted that the petitioner is languishing in judicial custody since 17.03.2024.

5. Learned APP appearing for the state and learned



counsel for the informant have opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Dariyapur P.S. Case No. 112 of 2024 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Saran at Chapra.

(Ashok Kumar Pandey, J)

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