

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61324 of 2025

Arising Out of PS. Case No.-186 Year-2024 Thana- SAHPUR District- Patna

Prabhat Singh @ Prabhat Kumar Sharma S/o Late Sambhu Singh R/o Village-
Ganghara, Kanchhari Par, Near Devi Sthan, Post- Ganghara, PS- Shahpur,
Distt- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kundan Kumar Ojha
For the Opposite Party/s : Mr. Arun Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 217-09-2025
1.

Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.
2.

This application, for grant of anticipatory bail, arises out of Shahpur Police Station Case No. 186 of 2024, dated 24.05.2024, disclosing offences under Sections 366(A)/34 of the Indian Penal Code.
3.

The prosecution case, as per the First Information Report, is that on 22.05.2024, at about 05:00 AM in the morning, while informant's minor niece had gone to attend nature's call, the petitioner, along with his son, namely, Sahil Kumar and 2-3 other unknown persons, forcibly kidnapped informant's niece with an intent to marry her with the petitioner's son.



4. Learned counsel for the petitioner submits that the petitioner is innocent has not committed any offence in the manner alleged and he has falsely been implicated in the present case merely because he happens to be the father of accused Sahil Kumar, who has been alleged to have kidnapped the informant's niece. He next submits after the alleged occurrence only the petitioner came to know that there was love affairs between the petitioner's son and informant's niece due to which they fled away and performed marriage and out of the wedlock one child has been born. He further submits that the victim girl in her statement recorded under Section 183 of the B.N.S.S., 2023, has not supported the prosecution story and the victim girl has been sent to her matrimonial house by an order passed by learned Magistrate.
5. Having regard to the submissions made on behalf of the parties and taking into consideration the justification advanced by learned counsel for the petitioner, statement of the victim girl recorded under Section 183 of the Bhartiya Nagrik Suraksha Sanhita, 2023, and the fact the petitioner is father of accused Sahil Kumar, I am inclined to grant the petitioner privilege of anticipatory bail.



6. This application is, accordingly, allowed.
7. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Danapur, in connection with Shahpur Police Station Case No. 186 of 2024, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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