

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77775 of 2025

Arising Out of PS. Case No.-164 Year-2023 Thana- BIKRAM District- Patna

Abhishek Kumar @ Gopal Kumar @ Gopal Prasad Yadav, aged about 32 years, Male, Son of Shri Uday Shankar Prasad Yadav @ Uday Kumar, Resident of Danapur Cantt., Police Station- Danapur, District- Patna. At present, C/0 Shambhu Nath Rai, Chakbinda Road 10, Gardanibagh, ward no. 14, Anisabad, P.O.- Anisabad, District- Patna, Bihar 800002.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunit Kumar Srivastava, Advocate
For the Opposite Party/s : Mr. Ram Naresh Ray, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA
ORAL ORDER

3 21-11-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Bikram P.S. Case No. 164 of 2023 instituted for the offences punishable under Sections 363 and 365 of the Indian Penal Code.

3. As per the prosecution case, the accused persons tried to kidnapped the informant's Nati and Natini but the police recovered the children.

4. This is the second attempt for bail. Earlier the prayer for bail of this petitioner was rejected by this Court passed in Cr. Misc. No. 75817 of 2023 vide order dated 28.02.2024.



5. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence and has falsely been implicated in this case. He submits that the allegation leveled against the petitioner are totally false, baseless and misleading. He further submits that no such occurrence has ever been taking place. He next submits that no any incriminating articles have been recovered from the possession of the petitioner. Petitioner has got clean antecedent as stated in para 3 of the petition is in custody since 12.04.2023.

6. Learned APP for the State opposes the prayer for bail.

7. From perusal of the FIR and impugned order of the learned Additional Sessions Judge-1st, Danaput, Patna dated 08.08.2023, it appears that petitioner is named in the FIR. From persual of the records, it appears that the charges has been framed against the petitioner under Sections 363 and 365 of the Indian Penal Code and both the offences are triable by Magistrate and the maximum punishment is of seven years. Petitioner is in custody since 12.04.2023, more than two years as well as charges were also framed in this case on 03.05.2025, so considering all these aspects of the case, period of custody and submissions of learned counsel for the petitioner, I am



inclined to grant bail to the petitioner.

8. Accordingly, the prayer for bail of the petitioner is allowed. Let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-VI, Danapur, Patna in connection with Bikram P.S. Case No. 164 of 2023.

(Ramesh Chand Malviya, J)

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