

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68781 of 2025

Arising Out of PS. Case No.-34 Year-2025 Thana- SAHARGHAT District- Madhubani

1. Shyam Sundar Yadav S/o Ram Sogarath Yadav Resident of Village- Taraia, P.S.- Saharghat, Dist- Madhubani
2. Ram Kishore Yadav @ Shyam Yadav S/o Ram Sogarath Yadav Resident of Village- Taraia, P.S.- Saharghat, Dist- Madhubani

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr.Ashok Kumar Jha, Advocate
For the Opposite Party : Mr.Rabindra Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 07-10-2025

Heard learned counsel for the parties.

2. Petitioners apprehend arrest in Saharghat PS case No. 34/2025 registered under Sections 126, 115(2), 137(2), 87, 76, 303(2), 352, 351(3), 351(2) & 3(5) of the B.N.S.

3. As per prosecution case, on 11.04.2025 at about 6 o'clock informant's daughter had gone to attend natural call and did not return. Thereafter, informant started searching his daughter and during the search he got information that co-accused Dilkhush Yadav kidnapped his daughter on motorcycle with bad intention. It is further alleged that when the informant and his relative went to the house of accused persons, these petitioners abused and assaulted him and also snatched gold chain from his wife.

4. It is submitted on behalf of the petitioners that these petitioners are innocent and have falsely been implicated in this case because they are brothers of said co-accused Dilkhush Yadav. Specific allegation of kidnapping is against co-accused Dilkhush Yadav and no specific overt act has been been



alleged against these petitioners. Victim in her statement recorded under section 183 Bharatiya Nagarik Suraksha Sanhita, 2023 has not alleged any wrong against these petitioners. Petitioners claim clean antecedent.

5. Learned counsel for the State opposes the prayer for pre-arrest bail.

6. Considering the nature of accusation and victim's section 183 B.N.S.S. statement, prayer for bail of both these petitioners is allowed. In the event of arrest/surrender within eight weeks from today, let these petitioners, mentioned above, be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Judicial Magistrate 1st class, Benipatti at Madhubani in Saharghat Police Station Case No. 34 of 2025, subject to the conditions laid down under section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Prabhat Kumar Singh, J)

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