

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1160 of 2025

Arising Out of PS. Case No.-86 Year-2024 Thana- GANGABRIDGE District- Vaishali

1. Nagendra Ray @ Nagendra Kumar S/o Rajeshwar Ray R/o Village- Kuwari Bujurg, P.S.- Gangabridge, District- Vaishali
2. Vivek Kumar S/o Upendra Ray R/o Village- Kuwari Bujurg, P.S.- Gangabridge, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mritunjay Kumar, Advocate

For the Opposite Party/s : Mr. Pradeep Narain Kumar, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 08-05-2025 Heard Learned Counsel for the petitioners, Learned Counsel for the Informant and Learned APP for the State.

2. The present criminal miscellaneous application has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as ‘the BNSS, 2023’) for grant of anticipatory bail to the petitioners who apprehend arrest in connection with Gangabridge P.S. Case No. 86 of 2024, lodged on 01.05.2024, under Sections 363/366A of the Indian Penal Code.

3. As per the prosecution, FIR has been lodged against accused persons with allegation that six accused persons alleging that they all in connivance with each other have



kidnapped the daughter of the informant and life of daughter of the informant is in danger.

4. Learned Counsel for the petitioners submits that the petitioners are innocent and have committed no offence. He submits that the daughter of the informant was fell in love with other co-accused not with the petitioners and it is due to this reason she fled away. It has been submitted that petitioner No.1 has one criminal antecedent in which he is on bail and petitioner No.2 has two criminal antecedents. In one case he is on bail and in another case he is persuading for bail. He submits that case-diary and statement of the victim recorded under Section 164 Cr.P.C. have been called for as victim has been recovered. Learned Counsel for the petitioners submits that he has made statement in paragraph-11 that in another case the victim has narrated her statement under Section 164 Cr.P.C. which is in contradiction with the present case.

5. Learned Counsel for the informant vehemently opposes the prayer for bail and submits that there is direct involvement of the petitioners in kidnapping of the daughter of the informant as she was minor and counsel for the informant submits that the case-diary and statement of the victim recorded under Section 164 Cr.P.C. has been received.



6. Learned APP for the State opposes the prayer for bail of the petitioners and submits that statement under Section 164 Cr.P.C. is on record.

7. This Court, according to the law of land, has relied on the documents of this case at this stage. On perusal of the statement of the victim recorded under Section 164 Cr.P.C. it transpires that she has categorically alleged the name of five accused persons including the present petitioners that they have kidnapped forcefully on the Brezza Vehicle with threat that they shall kill her mother and father.

8. In this background, this Court is not inclined to grant anticipatory bail to the petitioners. Hence, the anticipatory bail application of petitioners is hereby rejected. However, in the event of surrender of the petitioners within four weeks from today, the prayer for regular bail shall be considered without being prejudiced by the order of this Court.

(Dr. Anshuman, J)

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