

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11442 of 2026

Arising Out of PS. Case No.-169 Year-2025 Thana- BARHARA District- Bhojpur

1. Brahmeshwar Upadhya Son of Sighasan Upadhya Resident of Village- Chhinegaon, P.S.- Sinha, District - Bhojpur.
2. Sanjana Tiwari @ Sanjana Kumari D/o Bacha Tiwari @ Gautam Tiwari R/o Village - Baghakol, Tetariya, P.S. - Dhoban, Dist. - Bhojpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Malti Kumari

For the Opposite Party/s : Mr.Sanjay Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

5 04-05-2026 Heard learned counsel for the parties.

2 The petitioner seeks regular bail in a case registered for the offence punishable under Sections 137 (2), 87, 3 (5) of the BNS.

3 The prosecution case, in short, is that petitioner No 1 kidnapped the daughter of the informant. During the course of investigation, the victim has given her statement under Section 183 of the BNSS wherein she has stated that Brahmeshwar Upadhya, petitioner No 1 along with one Bhim Manjhi kidnapped her and took her to Ara Junction. Petitioner No 1 left the victim with petitioner No 2 who is involved in prostitution. Petitioner No 2 told her to follow her to Civil Court where she



has to perform marriage with Brahmeshwar Upadhyaya, petitioner No 1. As they reached the Station, Barhara Police Team came and took them to the Police Station.

4 Learned counsel for the petitioner submits that only allegation is that petitioner No 1 has taken away the daughter of the informant and kept her with petitioner No 2. There is no allegation of any sexual assault on the victim. Moreover, the victim has been recovered and she is with her parents. Petitioners are in custody since 17.09.2025 having no criminal antecedent.

5 Learned APP appearing for the State has vehemently opposed the prayer for bail.

6 Considering the aforesaid facts and circumstances of the case, this Court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be released on bail on each of them furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Bhojpur at Ara in Barhara PS Case No 169 of 2025.

(Ashok Kumar Pandey, J)

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