

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23154 of 2026

Arising Out of PS. Case No.-363 Year-2025 Thana- TRIVENIGANJ District- Supaul

Harinandan Yadav @ Harinand Yadav @ Hari Yadav @ Harishankar Yadav
S/O Tarun Yadav Resident of Village- Kaluaha, P.S.- Shankarpur, District-
Madhepura.

... .. Petitioner

Versus

1. The State of Bihar
2. XYZ wife of ABC Resident of Village-Purandaha, P.S.- Triveniganj,
District-Supaul at present residing at Patarghatti, Ward No-4 Nagar Parishad,
P.S.- Triveniganj, District-Supaul.

... .. Opposite Parties

Appearance :

For the Petitioner/s	:	Mr. Brajesh Sahay, Advocate Mr. Mahtab Alam, Advocate Mr. Arif Daula Siddiquie, Advocate
For the State	:	Mr. Binod Kumar, APP
For the O.P. No. 2	:	Md. Naushaduzzoha, Advocate

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

4 15-07-2026 Heard learned counsel for the petitioner and learned
APP for the State.

02. In the present case, the petitioner seeks bail in connection with Triveniganj P.S. Case No. 363 of 2025 registered for the alleged offences under Sections 137(2), 96 r/w 3(5) of Bharatiya Nyaya Sanhita, 2023.

03. As per prosecution case, 14 years old daughter of the informant was forcibly taken away by the petitioner and other co-accused with the help of some unknown persons and they fled away with her.

04. Learned counsel for the petitioner submits that the



petitioner is innocent and has been falsely implicated in this case. The petitioner has not committed any offence. The FIR has been lodged after delay of two days without any explanation. True fact of the case is that the daughter of the informant left her house out of her own sweet will as she was in love. Learned counsel further submits that the victim girl has been recovered and her statement was recorded wherein she stated that she was taken to Madras by train but surprisingly, she did not raise any alarm either on the way to Madras or even in Madras where she was kept for two days allegedly by this petitioner. Nothing incriminating has come up against the petitioner during whole investigation. Though the victim girl stated in her statement under Section 183 of the BNSS that the petitioner caught hold of her from behind and took her by train to Madras, the alleged kidnapping is not believable. Learned counsel further submits that as per the medical examination, the age of the victim girl was found to be 16 to 18 years, and also no sign of any physical assault was found. The petitioner is in custody since 12.10.2025 and charge-sheet has been submitted. The petitioner has got no criminal antecedent.

05. Learned APP for the State as well as learned counsel appearing on behalf of opposite party no. 2 vehemently



oppose the submission made on behalf of the petitioner. Learned counsel for the opposite party no. 2 submits that there is specific allegation against the petitioner that he forcibly took away the minor daughter of the informant. The victim has also stated about the petitioner committed dirty act with her.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the age of the victim girl and also her conduct during the occurrence of kidnapping and further considering the doubtful nature of allegation and also considering the period of custody of the petitioner and his clean antecedent along with submission of charge-sheet, the petitioner above named is directed to 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 learned Additional Chief Judicial Magistrate-I, Supaul/court concerned in connection with Triveniganj P.S. Case No. 363 of 2025, subject to the conditions mentioned in Section 480(3) of BNSS and the following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.



(iii) In case of absence on three consecutive dates
or in violation of the terms of the bail, the bail
bond of the petitioner will be liable to be
cancelled by the court concerned.

(Arun Kumar Jha, J)

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