

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28890 of 2026

Arising Out of PS. Case No.-708 Year-2025 Thana- WAJIRGANJ District- Gaya

1. Rishu Kumar S/o Pramod Vishwakarma R/o Village - Dhandhar, P.S. - Wazirganj, District - Gaya Ji.
2. Mantoo Kumar @ Mantoo S/o Dinesh Vishwakarma R/o Village - Dhandhar, P.S. - Wazirganj, District - Gaya Ji.
3. Pramod Vishwakarma S/o Kailash Viswhwakarma @ Tuntun Vishwakarma R/o Village - Dhandhar, P.S. - Wazirganj, District - Gaya Ji.
4. Anita Devi Wife of Pramod Vishwakarma R/o Village - Dhandhar, P.S. - Wazirganj, District - Gaya Ji.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Syed Asgher Najmi, Advocate
Ms. Wajeeha Jafri, Advocate
Mr. Ashutosh Kumar Mishra, Advocate
Ms. Neha Kumari, Advocate
For the Opposite Party/s : Mr. Amitesh Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 05-05-2026 Heard learned counsel for the petitioners and learned
APP for the State.

02. In the present case, the petitioners are apprehending their arrest in connection with Wazirganj P.S. Case No. 708 of 2025 registered for the alleged offence under Sections 96 r/w 3(5) of Bharatiya Nyaya Sanhita, 2023.

03. As per prosecution case, the minor daughter of the informant was enticed away by co-accused Nitish Kumar with the help of petitioners and other co-accused persons.

04. Learned counsel for the petitioners submits that



petitioners are innocent and have been falsely implicated in this case. The informant is not an eye witness, still she has described the events in giving details. The petitioners are parents, brother and relative of co-accused Nitish Kumar against whom the allegation of taking away the minor daughter of the informant has been made. Even from the allegation made in the FIR, it is apparent that no specific over act has been attributed to the petitioner and only act of active abetment is attributed to co-accused Chandan Vishwakarma. Learned counsel further submits that the victim girl has been recovered and her statement was recorded under Section 183 of BNSS and from the rejection order, it appears that there is no specific allegation has been levelled against the petitioners. The petitioners are having clean antecedent.

05. Learned APP for the State opposes the submission made on behalf of the petitioners.

06. Having regard to the facts and circumstances and submission made on behalf of the parties and considering the vague nature of allegation and also considering the possibility of false implication, let the petitioners above named, in the event of their arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on



furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Gaya Ji/court concerned in connection with Wazirganj P.S. Case No. 708 of 2025, subject to the condition laid down under Section 482(2) of BNSS and other following conditions:

- (i) One of the bailors will be a close relative of the petitioners.
- (ii) The petitioners will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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