

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34283 of 2026

Arising Out of PS. Case No.-1311 Year-2025 Thana- AHIYAPUR District- Muzaffarpur

1. Pappu Kumar S/o Mahesh Paswan Resident of Village- Abdul Nagar, Madhopur, Police Station- Ahiyapur, Distt.- Muzaffarpur
2. Guddu Kumar S/o Mahesh Paswan Resident of Village- Abdul Nagar, Madhopur, Police Station- Ahiyapur, Distt.- Muzaffarpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ram Kumar S/o Late Basudev Paswan Resident of Village- Abdul Nagar, Madhopur, Police Station- Ahiyapur, Distt.- Muzaffarpur

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar
For the Opposite Party/s : Mr.Prem Kumar Jha

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 21-07-2026 Heard the parties.

2. The petitioners are not named in the F.I.R. and apprehending their arrest in connection with Ahiyapur P.S. Case No.1311/2025 registered for the offences punishable under Sections 137(2) and 87 of the BNS.

3. The allegation against petitioners is to kidnap the wife of the informant for the purpose of illicit intercourse or marriage with another person.

4. It is submitted by learned counsel appearing on behalf of the petitioners that in FIR only one person was made named accused i.e., Aniket Kumar. It is pointed out that these petitioners implicated with this case only being own brother of Aniket Kumar. It is submitted that during investigation wife of informant was



recovered and her statement was recorded under Section 183 of the BNSS, where she categorically stated that named accused Aniket Kumar forcefully on the point of knife kidnapped her and took her to Delhi, where he committed rape upon her without naming these two petitioners. Petitioners claimed clean antecedent.

5. Learned APP opposes the prayer of bail.

6. In view of aforesaid factual submission and by taking note of fact as these petitioners were not even named by informant/victim, while recording her statement under Section 183 of the BNSS, where entire thrust of allegation qua kidnapping and rape is available against named co-accused Aniket Kumar, accordingly both above-named petitioners, in the event of their arrest or surrender before the court below within a period of four weeks, are directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned CJM, Muzaffarpur/concerned Court, where the case is pending in connection with Ahiyapur P.S. Case No.1311/2025, subject to the conditions as laid down under Section 482(2) of BNSS.

(Chandra Shekhar Jha, J)

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