

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79266 of 2025

Arising Out of PS. Case No.-326 Year-2025 Thana- BASANTPUR District- Siwan

Abhishek Singh @ Avishek Singh Son of Kapildeo Singh Resident of Village-
Semariya Koeri Tola, P.S.- Nautan, District- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijay Prakash Singh, Advocate

For the Opposite Party/s : Mr. Humayou Ahmad Khan, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 29-01-2026 Heard Mr. Bijay Prakash Singh, learned counsel for
the petitioner as well as Mr. Humayou Ahmad Khan, learned
Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
17.06.2025 in connection with Basantpur P.S. Case No. 326 of
2025, F.I.R. dated 23.05.2025 for the offences punishable under
Sections 137(2), 140(3) of the Bharatiya Nyay Sanhita, 2023.

3. According to prosecution case, the informant's
daughter went traceless when she went to Shahar Kola Bazar. It
is further alleged that the informant got several calls on two
mobile phones and when he called back, the caller abused him
and the informant suspects that the caller had kidnapped his
daughter.

4. Learned counsel for the petitioner submits that



petitioner has clean antecedent and he has falsely been implicated in the present case. The allegation levelled against the petitioner is false and fabricated. From bare perusal of the FIR it appears that petitioner is not named in the FIR. The present case has been lodged against two unknown mobile holders and the victim girl, who is major has been recovered and her statement was recorded under Section 180 and 183 BNSS in which she has stated that petitioner had kidnapped her and petitioner had established physical relation with her. He further submits that date of occurrence is on 21.05.2025 and FIR instituted on 23.05.2025 and the victim was recovered on 16.06.2025 and mobile location of both the victim and the petitioner suggest that they were in touch with each other deliberately and the police after investigation submitted the charge sheet against the petitioner and the petitioner is in custody since 17.06.2025.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional



Chief Judicial Magistrate-I, Siwan in connection with Basantpur
P.S. Case No. 326 of 2025, subject to the following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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