IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77964 of 2026

CNR No. BRHC011134192026

Arising Out of PS. Case No.-12 Year-2025 Thana- Paura District- Khagaria

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Killi Yadav @ Himanshu Yadav S/o Khalthu Yadav @ Ramashish Yadav Resident of Village- Saidpur, P.S.- Mansi, District- Khagaria, Bihar

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Binod Kumar
Mr. Amit Prakash
Ms. Ayushi
For the Opposite Party/s : Md. Mushtaque Alam

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CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA

ORAL ORDER

2 04-11-2026 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. The petitioner seeks bail in a case registered for the offence punishable under Sections 96, 137(2) and 3(5) of the B.N.S.

3. Petitioner along with other accused persons are said to have forcibly taken the victim from her house.

4. Learned counsel for the petitioner submits that the First Information Report itself indicates that the daughter of the informant went missing on 30.03.2025 at around 2:00 p.m. for which an FIR was lodged on 01.04.2025 and it has been specifically stated that she had informed telephonically that two accused persons Satyam Kumar and Santosh Yadav were taking

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her alone to Patna. However, subsequently during the course of investigation, she was recovered and in her statement under Section 183 of the B.N.S.S., she had taken the name of this petitioner. It is submitted that the name of the petitioner did not feature in the First Information Report although it was lodged upon information given by the victim herself. It is further pointed out that prior to the present case also the victim had fled away with one Guddu Kumar for which earlier Paura P.S. Case No. 35 of 2024 was lodged and the petitioner happens to be the brother-in-law of the said Guddu Kumar. Further, the petitioner is in custody since 07.03.2026 and charges have already been framed on 30.04.2026. The petitioner undertakes to cooperate in the trial.

5. Learned APP for the State has opposed the application for bail on the ground that the petitioner has one criminal antecedent. However, in response, it has been submitted that the said case is of the year 2022 and the petitioner is on bail.

6. Taking into consideration the facts and circumstances and also considering the fact that the petitioner was not named in the FIR and he has been subsequently implicated in the present case coupled with the fact that the

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charges have also been framed and he undertakes to cooperate in the trial, let the above named petitioner, be enlarged on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Paura P.S. Case No. 12 of 2025, subject to the conditions that:

(I) One of the bailors would be the family member or relative.

(II) The petitioner would appear physically on each and every date in the learned court below and would cooperate in the conclusion of trial and if the petitioner does not appear on two consecutive dates without any substantial and satisfactory reason, the learned court below would be at liberty to cancel his bail bonds.

(Soni Shrivastava, J)

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