

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77490 of 2025

Arising Out of PS. Case No.-58 Year-2025 Thana- GAUNAHA District- West Champaran

Om Prakash @ Om Prakash Kumar Son of Madan Sah Resident of Village-
Belwa, Bahuari, P.S.- Gaunaha, District- West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Nirmala Devi Wife of Kanhaiya Mahto Resident of Village- Belwa, Bahuari,
P.S.- Gaunaha, District- West Champaran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ashok Kumar Gupta, Advocate
For the Opposite Party/s	:	Mr. Suresh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

3 11-02-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Gaunaha P.S. Case No. 58 of 2025, instituted under Sections
87, 137(2), 3(5) of the B.N.S.

3. As per the prosecution case, petitioner along with
F.I.R. named accused persons are alleged to have kidnapped the
minor daughter of the informant with ill-motive, who had taken
cash of Rs. 1,90,000/- and other valuables with her.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has falsely been implicated in this case.
He submits that the victim in her statement under Section 180 of
B.N.S.S. has not made any allegation against the petitioner and
stated that she had gone with the petitioner with her own sweet-



will. In the medical report also, no evidence of any sexual assault has been found. Petitioner is a young boy of 22 year and has no criminal antecedent, however, mother of the informant after this case also filed one other case in which he is on bail. There is no overt act attributed against the petitioner. There is love affairs between the petitioner and the victim. Petitioner undertakes to co-operate in the investigation and trial.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submission of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Bettiah, West Champaran in connection with Gaunaha P.S. Case No. 58 of 2025, subject to the conditions laid down in Section 482 (2) of the Bharatiya Nagrik Suraksha Sanhita (B.N.S.S.), 2023.

(Sunil Dutta Mishra, J.)

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