

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79591 of 2025

Arising Out of PS. Case No.-45 Year-2025 Thana- Badem P.S. District- Aurangabad

Subham Kumar @ Subham Tiwari S/o Gopal Tiwari Resident of village-
Semara, PS- Barahara, Dist- Bhojpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. XXXX D/o Taleshwar Yadav R/o vill - Shivanpur, P.O. - Ankoraha, P.s.-
Baden, Distt.- Aurangabad, Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satish Pandey, Advocate

For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 31-01-2026 Despite of entered appearance through
Vakalatnama, no one appeared on behalf of the Informant.

2. Heard Mr. Satish Pandey, learned counsel for the
petitioner as well as Mr. Bhanu Pratap Singh, learned Additional
Public Prosecutor for the State.

3. Petitioner seeks bail who is in custody since
04.07.2025 in connection with Baden P.S. Case No. 45 of 2025,
F.I.R. dated 02.07.2025 for the offences punishable under
Sections 96 of the Bharatiya Nyay Sanhita, 2023.

4. According to prosecution case, the informant
alleged that his daughter, namely, Rupa Kumari, went to school
on 01.07.2025 but did not return home and on search, he was



informed that some unknown persons have kidnapped her daughter with intention of marriage.

5. 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. The petitioner is not named in the FIR and statement of the victim was recorded under Section 164 Cr.P.C/183 BNSS in which she did not supported the case of the prosecution and she has also stated that the petitioner has not role at all in the present occurrence and the petitioner is in custody since 04.07.2025.

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

7. Considering the aforesaid facts and circumstances, petitioner has clean antecedent and the victim did not supported the case of the prosecution, 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 ACJM-I, Aurangabad in connection with Baden P.S. Case No. 45 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)

Suruchi/-

U		T	
---	--	---	--

