

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78455 of 2025

Arising Out of PS. Case No.-367 Year-2025 Thana- PAROO District- Muzaffarpur

=====

Anil Kumar Son of Late Rameshwar Rai @ Rameshwar Ray Resident of
Village - Gariba, P.S.- Paroo, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Jha

For the Opposite Party/s : Mr.Dr. Ajeet Kumar

=====

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 20-02-2026 Heard the parties.

2.The petitioner is named in the F.I.R. and apprehending his arrest in connection with Paroo P.S. Case No. 367 of 2025 registered for the offences punishable under Sections 137(2), 87, 3(5) of BNS.

3. The allegation against petitioner is to kidnap wife of the informant aged about 27 years alongwith his family members and 2-3 unknown persons. A suspicion was raised that kidnapping was made with an intention to commit murder.

4. It is submitted by learned counsel appearing on behalf of the petitioner that the informant is the cousin brother of the petitioner and out of property dispute the present false case was lodged making informant's wife instrumental. It is



submitted that FIR, in issue, was lodged after seven days. It is submitted that it can not appears convincing that the petitioner, who is 22 years old cousin brother-in-law kidnapped the victim, who is of 27 years old and accompanied with her up to Delhi against her will and no alarm was raised on her part.

5. Arguing further, it is submitted that during investigation victim herself denied to join medical examination, which further creates a doubt *qua* occurrence. It is submitted that the victim was not recovered by the police rather she appeared herself after passing some time. While concluding arguments, it is submitted that petitioner is a man of clean antecedent.

6. Learned APP while opposing the prayer of bail submitted that the allegation is specific against petitioner which also appears supported through statement of victim recorded under Section 183 of BNSS.

7. Taking note of aforesaid submission, it is pointed out by learned counsel for the petitioner that there is a major contradictions as far place of occurrence is concerned, in this context, it is pointed out that as per FIR, the victim was kidnapped after calling from her home by this petitioner and



family members but as per statement of victim recorded under Section 183 of BNSS she was kidnapped while she was going to Paroo market.

8. In view of aforesaid factual submission and by taking note of fact as *prima-facie* statement of victim recorded under Section 183 of BNSS suggests a major contradiction *qua* place of occurrence which creates *prima-facie* doubt *qua* occurrence, accordingly petitioner above-named, in the event of his arrest or surrender before the court below within a period of four weeks, is directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned JM 1st Class (west) court no. 9, Muzaffarpur /concerned Court, where the case is pending in connection with Paroo P.S. Case No. 367 of 2025, subject to the conditions as laid down under Section 482(2) of BNSS.

(Chandra Shekhar Jha, J)

Sudha/-

U			
---	--	--	--

