

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81309 of 2025

Arising Out of PS. Case No.-399 Year-2025 Thana- MAHUA District- Vaishali

Abhishek Kumar @ Abhishek Kumar Sah S/O Shyam Milan Sah R/O Vill.
and P.O.- Samaspura, P.S.- Mahua, Dist.- Vaishali.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Meena Khatoon wife of Md. Kurban Village- Samaspur, P.S.- Mahua,
Vaishali

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajeev Ranjan Sinha

For the Opposite Party/s : Mr.Madhura Nand Jha

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 06-07-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offence under Sections 87, 137(2), 3(5) of the Bhartiya Nyaya Sanhita, 2023.

3. As per the allegation made in the F.I.R., this petitioner along with other co-accused kidnapped the daughter of the informant.

4. Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this case. During investigation, the victim was recovered and thereafter, her statement under Section 180 of B.N.S.S. was



recorded, in which, she has stated that no one has kidnapped her and had gone to Siliguri, out of her own will, at the house of her maternal uncle. However, in the statement recorded under Section 183 B.N.S.S., the victim has taken different stand and stated that this petitioner along with co-accused Sujeet Kumar and Shabana Khatoon took her to the market on pretext of taking ice-cream, but forcibly sat her in a vehicle after snatching her mobile phone. Thus, there is contradiction in the statement of victim under Sections 180 and 183 of B.N.S.S. Similarly situated co-accused Sujeet Kumar has already been granted anticipatory bail by a coordinate Bench of this Court, vide order dated 03.12.2025 passed in Cr.Misc. No. 79061 of 2025. Petitioner claims clean antecedent.

5. Learned A.P.P. for the State has opposed the bail petition.

6. Considering the contradiction in the statement of victim recorded under Sections 180 and 183 B.N.S.S. and the fact that co-accused Sujeet Kumar has been granted anticipatory bail by a coordinate Bench of this Court as also the fact that petitioner claims clean antecedent, the prayer for anticipatory bail of petitioner is allowed.

7. Accordingly, let the above named petitioner, in the



event of arrest/surrender within a period of eight weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. - IV, Vaishali at Hajipur in connection with Mahua P.S. Case No. 399 of 2025, subject to condition as laid down under Section 482 of the Bhartiya Nagrik Suraksha Sanhita, 2023.

(Prabhat Kumar Singh, J)

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