

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1891 of 2026

Arising Out of PS. Case No.-93 Year-2022 Thana- PAUTHU District- Aurangabad

Shailesh Kumar Son of Late Surendra Bind @ Late Surendra Vind Resident
of village - Karma Pandey, P.S.- Pauthu, District - Aurangabad

... .. Petitioner/s

Versus

1. The State of Bihar
2. Kameshwar Yadav Son of Late Balram Yadav Village - Karmapandey, P.S.-
Pauthu, District - Aurangabad

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinod Kumar, Advocate

For the Opposite Party/s : Mr. Narendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 19-01-2026 Heard Mr. Vinod Kumar, learned counsel for the

petitioner and Mr. Narendra Kumar Singh, learned Additional

Public Prosecutor for the State.

2. The petitioner seeks bail, who is in custody since
01.08.2024 in connection with Pauthu P.S. Case No. 93 of 2022,
F.I.R. dated 31.08.2022 for the offences punishable under
Sections 366(A)/34 of the I.P.C.

3. According to prosecution case, the allegation
against the petitioner is that he along with other co-accused
person has kidnapped the daughter of the informant.

4. Learned counsel for the petitioner submits that
earlier regular bail of the petitioner was rejected by a coordinate



bench of this Hon'ble Court vide order dated 13.12.2024 passed in Cr. Misc. No. 76317 of 2024. He further submits that while rejecting the bail application, the Court has been pleased to give liberty to the petitioner to renew his prayer for bail after framing of charge. Charge has been framed against the petitioner on 13.10.2025 and the trial has began and the victim has been examined as witness no. 1 on 17.10.2025 and she has not supported the case of prosecution and she has not identified the petitioner and further stated that petitioner had not committed any offence against her as alleged in the FIR and the petitioner is in custody since 01.08.2024.

5. Learned APP for the State has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances, petitioner has clean antecedent and the victim in her deposition does not support the allegation as alleged in the F.I.R., 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 Additional Sessions Judge-VI-cum-Special Exclusive Judge (POCSO), Civil Court, Aurangabad in connection with Pauthu P.S. Case No. 93 of 2022, with 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 her absence on two consecutive dates without sufficient reason, his/her 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)

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