

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81669 of 2025

Arising Out of PS. Case No.-34 Year-2025 Thana- DARAUNDA District- Siwan

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Vishal Kumar @ Vishal Kumar Prasad S/O Ram Babu Prasad R/O village-
Sawan Bigrah, P.S.- Daraundha, Dist.- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ashok Kumar, Adv.

For the Opposite Party/s : Ms. Meena Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 15-01-2026 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 137(2) and and 140(3) of the B.N.S.

3. As per the prosecution case, the informant has alleged that his sister had gone for attending the computer class however she did not return and therefore a case of missing was registered against unknown.

4. The learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case. It has further been submitted that the petitioner is not named in the F.I.R. and his name has transpired subsequently during the course of investigation. It has further been submitted



that the F.I.R. was lodged after a delay of four days from the date of missing of the victim. Learned counsel has further submitted that the girl was examined as P.W. 1 during the trial and in her deposition, she has categorically stated that she had gone out of her own sweet will and the petitioner and the other co-accused persons had not forced her to go to Hyderabad. The victim has further stated that her brother has lodged a false case against the petitioner and others. She has further stated that she had married the petitioner and she is staying with him and lastly she has stated on account of her closeness with the petitioner, her brother used to reprimand her. Learned counsel has further submitted that the other co-accused person namely, Ram Babu Prasad has been granted bail by the Coordinate Bench of this court vide order dated 10.10.2025 passed in Cr. Misc. No. 51559/2025. It has lastly been submitted that the petitioner has clean antecedent.

5. The learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner.

6. Considering the aforesaid submissions made by the parties and taking into account the facts and circumstances of the case, the petitioner above named, is directed to be released on anticipatory bail, in the event of arrest or surrender before the



Court below within a period of four weeks from today, on furnishing bail-bond of Rs. 10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor court in connection with Daraunda P.S. Case No. 34 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure read with corresponding Section 482(2) of BNSS as well as subject to the following conditions:-

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner shall remain physically present before the concerned Court on each and every date of the trial and shall cooperate in the investigation.

(iii) In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the Court concerned.

(iv) The trial court shall verify the criminal antecedent of the petitioner and in case, at any stage, it is found that the petitioner has concealed his criminal antecedents, the trial court shall take necessary steps for cancellation of bail bond of the petitioner. However, the acceptance of bail bond in terms of the



above mentioned order shall not be delayed for purpose of or in the name of verification.

7. It is made clear that the observations, if any, made in this order, shall be of no bearing during the trial.

8. The application stands allowed.

(Sourendra Pandey, J)

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