

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82747 of 2025

Arising Out of PS. Case No.-80 Year-2025 Thana- NOWKOTHI GARHPURA District-
Begusarai

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Gautam Yadav@ Gautam Kumar S/o Nandan Yadav R/o vill - Barijana, P.S.-
Chhaurahi, Distt.- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bipin Kumar, Advocate
For the Opposite Party/s : Mr.Bharat Lal, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 25-03-2026 Heard Mr.Bipin Kumar, learned counsel for the

petitioner and Mr.Bharat Lal, learned Additional Public

Prosecutor for the State.

2. The petitioner seeks bail, who is in custody since
30.08.2025 in connection with Nowkothi P.S. Case No. 80 of
2025, F.I.R. dated 15.04.2025 registered for the offence
punishable under Section 87 of BNS.

3. As per FIR, allegation against the petitioner is that
he kidnapped the informant's daughter with malafide intention.

4. Learned counsel appearing for the petitioner
submits that the petitioner has clean antecedent. The allegation
as alleged in the FIR is false and fabricated and the petitioner
has not committed any offence as alleged in the FIR. Further



submits that the victim was recovered and her statement was recorded under Section 183 of BNSS, 2023 in which she has not supported the case of the prosecution and she stated that she has first performed the marriage with the petitioner and thereafter she has also performed the marriage with another person. The police, after investigation, submitted the chargesheet against the petitioner and the petitioner is in custody since 30.08.2025.

5. Learned A.P.P. for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts, petitioner has clean antecedent and the victim has not supported the case of the prosecution in her statement under Section 183 of BNSS, 2023, 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 learned Chief Judicial Magistrate, Begusarai in connection with Nowkothi P.S. Case No. 80 of 2025, 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 his/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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