

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.90128 of 2025**

Arising Out of PS. Case No.-85 Year-2025 Thana- KALUAHI District- Madhubani

1. Dinesh Yadav @ Dinesh Kumar Yadav Son of Late Ram Kishun Yadav Resident of Village- Barkhor, PS- Kaluahi, District- Madhubani
2. Indrajit Yadav @ Indrajit Kumar Yadav son of Bhogi Yadav Resident of Village- Barkhor, PS- Kaluahi, District- Madhubani
3. Mamta Devi @ Mamata Devi Wife of Dinesh yadav Resident of Village- Barkhor, PS- Kaluahi, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jitendra Kumar Bharti, Adv.
For the Opposite Party/s : Mr.Murli Dhar, APP

**CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER**

3 23-02-2026 Heard learned counsel for the petitioners and
learned APP for the State.

2. The petitioners are apprehending their arrest in connection with Kaluahi P.S. Case No. 85 of 2025 dated 02.06.2025 registered for the offence punishable under Sections 137(2), 87, 96, 3(5) of the Bhartiya Nyaya Sanhita.

3. As per prosecution case, the petitioners are accused of kidnapping the 17 years old daughter of the Informant from her house.

4. Counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the



present case with an ulterior motive. It has next been submitted that there was a lover affair between Ravi Shankar Kumar, who is the son of the petitioner no.1, which was within the knowledge of the Informant but, as he was against the love affair, he has implicated all the family members in this case. He further submits that a compromise petition has also been filed before the learned Judicial Magistrate, First Class, Madhubani on 08.10.2025 and the dispute between the parties stands amicably resolved.

5. On the other hand, the learned APP for the State has opposed the prayer for bail of the petitioners.

4. In this case, the case diary was called for and the statement, which is said to have been recorded by the Informant, has also been appended with the case diary and, from perusal of the same, it appears that the complicity of the petitioners have not been indicated in the alleged incident, while the victim has specifically stated that she herself went to her matrimonial grand-mother's house. From the contents of the statement of the victim girl, it appears that there is no complicity of the petitioners in the entire occurrence.

6. Having heard learned counsel for the parties and considering the fact that *prima faice* the petitioners have not



been found to be involved in the alleged occurrence as also taking into account the statement of the victim girl recorded under Section 183 of the B.N.S.S., this Court is inclined to grant privilege of anticipatory bail to the petitioners.

Accordingly, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned District and Additional Sessions Judge-V, Jhanjharpur, Madhubani in connection with Kaluahi P.S. Case No. 85 of 2025, subject to the conditions as laid down under Section 482(2) of the B.N.S.S. as well as the following conditions:

(i) One of the bailors should be the family member /relative /known of the petitioner(s) who shall provide official document / personal affidavit to show his/her bona fide;

(ii) the petitioner(s) shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bond by the Trial Court itself;



(iii) the petitioner(s) shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(Ajit Kumar, J)

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