

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89571 of 2025

Arising Out of PS. Case No.-342 Year-2025 Thana- KHAGARIA District- Khagaria

Rakesh Kumar @ Bablu S/O Shivshankar R/O Vill.- Anda Toli, P.S. and
Dist.- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Mishra, Advocate

For the Opposite Party/s : Mr. Rana Randhir Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 12-01-2026 Heard Mr. Pramod Mishra, learned counsel for the

petitioner and Mr. Rana Randhir Singh, learned Additional

Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Khagaria P.S. Case No. 342 of 2025, F.I.R.
dated 10.11.2025 for the offences punishable under Sections 96,
137 (2) and 3(5) of the B.N.S., 2023.

3. According to prosecution case, petitioner and other
co-accused person are alleged to have abducted the informant's
minor daughter for the purpose of marriage.

4. Learned counsel for the petitioner submits that
petitioner has clean antecedent and he has falsely been
implicated in the present case. He further submits that the
allegation as alleged in the F.I.R. is false and fabricated and the



petitioner has not committed any offence as alleged in the F.I.R. From perusal of the F.I.R., it appears that the specific allegation is attributed against co-accused Mohit Kumar @ Atm and the petitioner happens to be the uncle of the co-accused Mohit Kumar so he has been made accused in the present case. It appears from the F.I.R. that there is no specific allegation of against the petitioner of kidnapping the daughter of the informant.

5. Learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances, petitioner has clean antecedent and he has been made accused only on the ground that he happens to be uncle of the co-accused, namely, Mohit Kumar @ Atm, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, 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 C.J.M., Khagaria in connection with Khagaria P.S. Case No. 342 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of BNSS, 2023 and with



other 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, 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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