

**In the Court of Dushyant Kumar**  
**District & Additional Sessions Judge-I, Rosera,**  
**District-Samastipur**  
**A.B.P. No. 291 of 2026**  
**C.I.S.No. 94 of 2026**  
**(Arising out of Shivajinagar P.S. Case No. 32 of 2025)**  
**Date: 23.04.2026**

**Jeevach Yadav & Or.**

**.....Petitioner**

**vs.**

**State of Bihar.**

**.....Prosecution/O.P.**

**ORDER**

1. The present petition has been filed by the accused petitioner namely 1.Jeevach Yadav 2. Ram Pravesh Kumar @ Ram Pravesh Yadav 3.Ram Adesh Kumar @ Ram Adesh Yadav seeking their anticipatory bail in connection with Shivajinagar P.S. Case No. 32 of 2025 under Sections 137(2), 87, 3(5) of B.N.S.
2. Heard Sri Raj Kumar, Ld. Counsel for the accused petitioners and Sri Sita Ram Yadav, Ld. APP. for the State.
3. Ld. Counsel for the accused petitioners have submitted that petitioners are innocent and have committed no offence and the allegation against the petitioners are false, baseless and concocted. It is stated that no other bail petition either anticipatory or regular on behalf of the petitioners has been filed before this Court or before the Hon'ble High Court, Patna. It is stated that petitioners have got no criminal history. There is allegations against the accused Subodh Kumar that he kidnapped the victim Karishma Kumari as alleged in the F.I.R. and he has been admitted to bail U/S 187(2) of B.N.S.S. and the victim was present on the Shivajinagar Police Station and thereafter her statement U/s 183 B.N.S.S. has also recorded by the Ld. Magistrate and she has fairly stated in U/s-183 of B.N.S.S. that she has not kidnapped by anyone. It has further submitted that there is no specific allegation against the petitioners and the allegations are general and omnibus allegations against the petitioners. In this case, date of occurrence is 20.05.2025 and F.I.R. was lodged on 03.06.2025 i.e; 14 day delay which creates doubt. Petitioners have reasonable apprehension of arrest by the Police. Petitioners are ready to abide by the orders and conditions as laid down under Sections 482(2) of the B.N.S.S.
4. On the other hand Ld. APP. on behalf of state opposed the prayer for bail.
5. Perused the records. Instant case has been lodged under Sections 137(2), 87, 3(5) against the accused, Subodh Kumar, Ram Pravesh Yadav, Ram Adesh Yadav, and Jeevach Yadav upon the written application submitted by the informant, Rajni Devi, before the SHO, Shivaji Nagar police station. It is alleged that her minor daughter, Karishma Kumari, aged about 17 years, went missing on 20.05.2025 at about 08:00 PM when she had gone out of the house to bring goods from a nearby shop and did

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not return. On search, it came to light that accused persons namely Subodh Kumar @ Ghanti, Ram Pravesh Yadav, Ram Adesh Yadav, and Jeevach Yadav, had, in furtherance of their common intention to kill and sell kidney, and for illicit intercourse, kidnapped the minor girl of the informant. It is further alleged that the accused persons, in conspiracy with each other, took the victim away to an unknown place. The informant also received threatening calls from mobile numbers 7295957616, 8307133277 and 9106299412, warning her of dire consequences. Despite diligent search, the whereabouts of the victim could not be traced.

6. It transpires from the case diary that the victim has since been recovered, as she voluntarily appeared before the concerned police station. In her statement recorded under Section 183 of the BNSS, the victim has categorically stated that she had left her home on her own volition on 20.05.2025 and had gone to Delhi, where she took up employment at a shop. She further stated that upon learning about the case lodged by her mother, she returned on her own. Importantly, she has not supported the allegations made in the FIR and has clearly stated that no one had kidnapped her. The victim has not attributed any role to the present petitioners or to any of the named accused persons in the alleged occurrence. There is also no allegation of any sexual assault or coercion made by her in her statement before the police. Thus, the foundational allegation of kidnapping does not prima facie find support from the statement of the victim. It is further evident from the record that co-accused Subodh Kumar was arrested and subsequently released on statutory bail due to non-filing of the charge-sheet within the prescribed period. The charge-sheet has since been submitted against him under Sections 137(2), 96 and 3(5) while investigation is stated to be continuing against the remaining accused persons. The present petitioners are stated to be family members of the said co-accused, and no specific overt act has been attributed to them in the case diary. There is nothing on record to suggest that the petitioners have any criminal antecedents or that they are likely to abscond or tamper with the evidence. In view of the statement of the victim, absence of specific allegations, and the overall facts and circumstances of the case, custodial interrogation of the petitioners does not appear to be necessary.
7. Considering the totality of the above facts and circumstances, this Court is inclined to grant anticipatory bail to the petitioners.
8. Accordingly, the petitioners, namely 1. Jeevach Yadav 2. Ram Pravesh Kumar @ Ram Pravesh Yadav 3. Ram Adesh Kumar @ Ram Adesh Yadav are directed to be released on bail in the event of their arrest or surrender within 6 weeks on furnishing bail bonds

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of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Court of the Ld. Magistrate concerned in connection with Shivaji Nagar P.S. Case No. 32 of 2025, subject to furnishing of undertaking of compliance of conditions mentioned in Section 480(3) of BNSS.

9. Let a copy of this order along with the LCR be sent to the Court of the Ld. Magistrate concerned.

Dictated  
District & Additional Sessions Judge -1  
Rosera, Samastipur