

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3496 of 2025

Arising Out of PS. Case No.-350 Year-2024 Thana- BHABHUA District- Kaimur (Bhabua)

Rahul Seth Son of Kishori Seth Resident of C/O- Kishori Seth, Village-
Pratap Pur, P.S.- Adalhat, District- Mirzapur, Uttar Pradesh- 231305

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Prashant Kumar, Adv. Mr. Nishant Kumar, Adv.
For the State	:	Mr. Shyam Bihari Singh, APP
For the Informant	:	Mr. Basant Kumar, Adv.

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

4 28-07-2025 Heard learned counsel for the petitioner, learned APP for
the State and learned counsel appearing for the informant.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Section 366A of the Indian Penal Code.

3. The allegation in the FIR is that the daughter of the informant went missing and it was suspected that one Sachin Seth had kidnapped her minor daughter.

4. Learned counsel for the petitioner, at the outset, submits that the name of the petitioner does not feature in the FIR rather his name has surfaced subsequently in the statement of the informant recorded under Section 161 Cr.P.C. only on the ground that he happens to be the brother of the main



accused Sachin Seth. It is further submitted that the petitioner has no concern with the alleged occurrence and the entire case is based on no eyewitness and only on the basis of suspicion. It is next submitted that main accused Sachin Seth is already in custody and the present petitioner has no criminal antecedent as mentioned in para 3 of the bail application.

5. Learned APP for the State and learned counsel appearing for the informant, however, standby the allegations made in the FIR. Learned counsel for the informant opposes the grant of anticipatory bail on the ground that the complicity of the petitioner is also there in the kidnapping of the victim girl who is still traceless and for that purpose, he relies upon paragraph 89 of the case diary to show that the petitioner was somehow connected with the victim on Instagram. However, in response to the same, it is submitted on behalf of the petitioner that the said Instagram ID as well as concerned telephone number, which has been investigated upon, belongs to the main accused Sachin Seth.

6. Taking into consideration the rival contentions of the parties and also considering the fact that the petitioner has no criminal antecedent, I am inclined to grant the privilege of anticipatory bail to the petitioner. Let the petitioner, above



named, in the event of his arrest or surrender before the Court below within four weeks, 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 lower Court where the case is pending/successor Court in connection with Bhabhua P.S. Case No. 350 of 2024, subject to the condition as laid down under Section 438 (2) of the Cr.P.C/ 482 (2) of the BNSS, 2023.

7. However, it is directed that the petitioner would extend all his cooperation to the investigating agency for tracing out the victim girl and in case of non-cooperation in investigation, the learned court concerned would be at liberty to cancel the bail bonds of the petitioner.

(Soni Shrivastava, J)

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