

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4570 of 2025

Arising Out of PS. Case No.-394 Year-2024 Thana- NAANPUR District- Sitamarhi

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1. Vikas Kumar Son of Baiju Sahani Resident of Village - Ijlish, P.S. - Aurai, District - Muzaffarpur
 2. Fekan Kumar Son of Baiju Sahani Resident of Village - Ijlish, P.S. - Aurai, District - Muzaffarpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. X Son of Late Ram Swarth Sahani Resident of Village - Kharka, Laxminia Tol, P.S. - Bokhra, District - Lakhisarai

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sunil Kumar Karn, Adv.
For the Informant/s	:	Mr. Devendra Kumar, Adv.
For the Opposite Party/s	:	Mr. Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

4 07-07-2025 Heard learned counsel for the petitioners, learned counsel for the informant and learned APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under Section 366A read with Section 34 of the Indian Penal Code.

3. As per the prosecution case, the informant has alleged that her daughter about 16 years of age has gone to the market, where on 08.05.2024, the named accused persons including the petitioner kidnapped her and forceably took her on a vehicle. It is further alleged that the daughter of the informant all of a sudden came back on 06.08.2024 after she managed to escape and called her brother-in-law, who took her to her village on 11.08.2024, and thereafter, the present case was lodged.

4. Learned counsel for the petitioners submits that the



petitioners are innocent and have falsely been implicated in this case only on account of the fact that they happen to be friends of the co-accused Guddu Sahani. It has also been submitted that from perusal of the FIR, it is alleged that they assisted the main accused, Guddu Sahani in fleeing away. It is further submitted that the co-accused Guddu Sahni and the victim girl had in fact married and were living together, and the present case was lodged after more than three months, only when the victim girl had returned from the house of Guddu Sahani. He also submits that from the perusal of the Aadhar Card, it would be evident that the victim girl was not a minor and the petitioners have no criminal antecedent. It is further submitted that the petitioners are languishing in judicial custody since 18.10.2024

5. Learned counsel for the informant as well as the learned APP appearing for the state have opposed the prayer of regular bail and submits that the petitioners are named accused who have facilitated the kidnapping of the daughter of the informant. He also submits that the girl in her 164 of the Cr.P.C. Statement has also supported the factum of kidnapping and her stay with the co-accused Guddu Sahani.

6. Having heard learned counsel for the parties and



considering the facts and circumstances of the case and taking into account that there is no specific allegations against the petitioners of any overt act having the fact that they facilitated the named accused Guddu Sahani in taking away the daughter of the informant, let the petitioners above named be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Nanpur P.S. Case No. 394 of 2024, subject to the following conditions:-

(i) One of the bailors will be close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the Court below, if so required by the learned Trial Court.

(iii) In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be canceled by the Court concerned.

7. Accordingly, the application stands allowed.

(Sourendra Pandey, J)

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