

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.11594 of 2025**

Arising Out of PS. Case No.-663 Year-2024 Thana- SAHARSA SADAR District- Saharsa

Santosh Kumar S/o Bindi Lal Yadav Resident of Ward no 03, Bhelwa, P.S.-  
Saharasa, Distt.- Saharsa

... .. Petitioner/s

Versus

1. The State of Bihar
2. Phulo Devi W/O- Sri Arun Kumar Yadav, R/O-Bhelwa , ward no. 03, P.S.  
and Dist- Saharsa

... .. Opposite Party/s

**Appearance :**

|                      |   |                        |
|----------------------|---|------------------------|
| For the Petitioner/s | : | Mr. Subesh Sharma, Adv |
| For the informant    | : | Mr. Ashok Kumar, Adv   |
| For the State        | : | Md. Matloob Rab, APP   |

**CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY**  
**ORAL ORDER**

4      19-06-2025                      Heard learned Counsel for the petitioner and learned  
counsel for the informant as well as learned A.P.P for the State.

2. The petitioner seeks regular bail in a case registered  
for the offences punishable under Sections 96, 137(2) and 3(5)  
of the B.N.S.

3. As per the prosecution case, the petitioner is alleged  
to have kidnapped the minor daughter of the informant.

4. Learned counsel for the petitioner has submitted  
that the petitioner is innocent and has falsely been implicated in  
this case. The learned counsel further points out the  
supplementary affidavit which has been filed bringing on record  
the depositions of the informant as well as the victim girl during



the course of trial, wherein both of them have not supported the prosecution case and in fact they retracted from their earlier stand. It is lastly submitted that the petitioner has clean antecedent and is in custody since 13.09.2024.

5. Learned counsel for the informant as well as learned APP for the State have vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid submissions of the parties and taking into account the depositions of the informant as well as the victim and also considering the period of custody, let the petitioner above-named, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Saharsa in connection with Saharsa Sadar P.S. Case No. 663 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.*

*(iv) If the petitioner is found involved in similar nature of offence in future, the prosecution*



*will be at liberty to move for cancellation of his bail bond.*

*(v) The learned 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.*

7. The application stands allowed.

**(Sourendra Pandey, J)**

Jyoti/-

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