

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55761 of 2025

Arising Out of PS. Case No.-97 Year-2024 Thana- JAMALPUR District- Darbhanga

1. SHAMBHU SAHU S/o- Janak Sahu Resident of Village- Khainsa Police Station- Jamalpur District- Darbhanga
2. Santosh Sahu @ Santosh Kumar Sahu S/o- Shambhu Sahu Resident of Village- Khainsa Police Station- Jamalpur District- Darbhanga
3. Chhedni Devi W/o- Shambhu Sahu @ Shambhu Prasad Sahu Resident of Village- Khainsa Police Station- Jamalpur District- Darbhanga
4. Gautam Kumar Sahu @ Gautam Kumar Sah S/o- Ratan Sahu Resident of Village- Khainsa Police Station- Jamalpur District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nilendu Kumar Choudhary, Advocate.

For the Opposite Party/s : Mr.Ajit Kumar, APP.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 09-09-2025 Heard Mr. Nilendu Kumar Choudhary, learned counsel appearing on behalf of the petitioners and Mr. Ajit Kumar, learned APP for the State.

2. The petitioners seek pre-arrest bail in connection with Jamalpur P.S. Case No. 97 of 2024 registered for the offence punishable under Sections 137(2), 96, 3(5) of the BNS, 2023.

3. Allegation is of kidnapping of the minor daughter of the informant.

4. Learned counsel appearing on behalf of the



petitioners submitted that the specific allegation is against co-accused Lalu Kumar Sahu and the petitioner no.1 being the father, petitioner no.2 being brother, petitioner no.3 being mother and petitioner no. 4 being maternal uncle of the main accused Lalu Kumar Sahu have falsely been implicated in the case. The allegation levelled against the petitioners is general and omnibus. The victim in her statement recorded under Section 183 BNSS has not alleged any overt act committed by the petitioners nor she has stated with regard to any sexual or physical assault against her.

5. Learned APP for the State has vehemently opposed the prayer for grant of pre-arrest bail to the petitioners.

6. Having considered the rival submissions made on behalf of the parties, as well as, the fact that the allegation levelled against the petitioners is general and omnibus and the victim has also not alleged any overt act committed by the petitioners in her statement recorded under Section 183 BNSS, the petitioners, above named, are directed to be released on pre-arrest bail, in the event of their arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of



learned Judicial Magistrate First Class, Biraul, Darbhanga in connection with Jamalpur P.S. Case No. 97 of 2024, subject to the condition as laid down under Section 438(2) Cr.P.C / 482(2) BNSS.

7. The District Court is directed to verify the criminal antecedent of the petitioners and if it is found that the petitioners are involved in some other cases as what has been stated in Para-3 of the bail petition, this order will automatically lose its force.

8. The bail application stands disposed of.

(Purnendu Singh, J)

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