

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58662 of 2025

Arising Out of PS. Case No.-181 Year-2024 Thana- RAJEPUR District- East Champaran

Sambhu Sah S/O Satya Narayan Sah Village - Balbhadrapur P. S. - Rajepur
Dist. - East Champaran (Motihari)

... .. Petitioner/s

Versus

1. The State of Bihar
2. Joginder Ray S/O Late Ramashish Ray Village - Balbhadrapur P. S. -
Rajepur Dist. - East Champaran (Motihari)

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Virendra Kumar, Advocate
For the Opposite Party/s	:	Mr. Jitendra Kumar Singh, APP
For the Informant	:	None

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

6 15-12-2025 Heard learned counsel for the petitioner and learned
APP for the State. Perused the case diary. None appears on
behalf of the informant despite notice being validly served.

2. The petitioner seeks bail in connection with Tr. No.
54 of 2025 (CIS No. 135 of 2025) arising out of Rajepur P.S.
Case No. 181 of 2024 instituted for the offences under Sections
137(2), 96, 3(5) of the Bharatiya Nyaya Sanhita, 2023 and
Section 9 of the POCSO Act.

3. Accusation against the accused persons including
the petitioner is of kidnapping the informant's minor daughter.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case.



Learned counsel further submitted that victim has still not been recovered. Learned counsel further submitted that there is general and omnibus allegation against the petitioner. He further contended that, as a matter of fact, there was love affair between the son of the petitioner and the victim. He further contended that even the son of the petitioner is traceless. Learned counsel further submitted that the petitioner had no role in kidnapping the victim. He further submitted that the main accused is the son of the petitioner, namely, Mukesh Sah and the petitioner is being dragged in this case merely because he happens to be the father of the main accused Mukesh Sah. It has been submitted on behalf of the petitioner that the petitioner is in custody since 12.09.2024 and has no criminal antecedent.

5. Learned A.P.P. for the State vehemently opposed the prayer for grant of bail to the petitioner. Learned counsel further submitted that despite thorough investigation by S.I.T., the victim has not been recovered till date and she is still traceless. Learned APP further referring to paragraph no.16 of the counter-affidavit submitted that charge-sheet has been submitted against the petitioner under Sections 137(2), 96, 3(5) of the BNS and Section 9 of the POCSO Act.

6. Considering the aforesaid facts and circumstances



of the case as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Tr. No. 54 of 2025 (CIS No. 135 of 2025) arising out of Rajepur P.S. Case No. 181 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Alok Verma/-

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