

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57620 of 2025

Arising Out of PS. Case No.-1041 Year-2024 Thana- SONEPUR District- Saran

1. Rohit Kumar Son of Pitambar Mahto Resident of Village - Chitarsenpur, P.S.- Sonapur, District - Chapra (Saran).
2. Indrajeet Kumar @ Amarjeet Kumar Son of Suman Mahto Resident of Village - Chitarsenpur, P.S.- Sonapur, District - Chapra (Saran).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anuj Kumar, Advocate

For the Opposite Party/s : Mr.Tapeshwar Sharma, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 17-10-2025 Heard learned counsel for the petitioners and
learned APP for the State.

2. A prayer for bail has been made on behalf of the petitioners in connection with Sonapur P.S. Case No.1041 of 2024 registered for the offence under sections 137, 96 and 3(5) of the B.N.S,2023.

3. The allegation in the F.I.R is that informant's daughter and grand-daughter had gone to ease themselves but did not return. Upon inquiry, the informant got to know that accused Rohit Kumar (petitioner no.1) along with two unknown persons had allured them and taken away for some other immoral activities.



4. Learned counsel for the petitioners submits at the outset that F.I.R has been lodged after inordinate delay of seven days, for which the informant has not tendered any plausible explanation. It seems very strange that although the minor daughter and grand-daughter of the informant went missing on 09.12.2024 yet the F.I.R was lodged on 16.12.2024. It has further been submitted that informant and the petitioners are neighbors and they have been implicated in this case due to village politics. Petitioner no.2 is not even named in the F.I.R and his name has transpired in the statements of the victims recorded under Section 180 and 183 of the B.N.S.S. The statements of the victims would reveal that they had not been kidnapped by the petitioners. Both the victims had together fled away from house out of their own free will. One of the victims in her statement has stated that petitioner no.1 is the maternal uncle. The petitioners are young boys having no criminal antecedent and undertake to co-operate in the case/trial.

5. The application for bail is opposed by learned APP for the State on the ground that victims are the minor girls.

6. Taking into consideration the aforesaid facts and circumstances of the case and also considering the factum of delay in the F.I.R coupled with the fact that the victim girls in



their statements under Section 183 of the B.N.S.S had admitted that they left their house out of their own will and they had not disclosed any harm being done to them by these petitioners, let the above named petitioners, who are 18-19 years old young boys having no criminal antecedent, in custody since 16.06.2025, be enlarged on bail in connection with Sonapur P.S. Case No.1041 of 2024 on each of them furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Saran at Chapra and subject to the following conditions:-

(I) One of the bailors of the petitioners shall be the family member/close relative of the petitioners.

(II) They shall co-operate in the trial and appear in the trial Court on each and every date till framing of charge and in case they will not appear on two consecutive dates, without any substantial reasons, the prosecution is at liberty to cancel their bail bonds.

(Soni Shrivastava, J)

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