

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66237 of 2025

Arising Out of PS. Case No.-39 Year-2025 Thana- Patauna District- Madhubani

1. Raushan Sahni @ Roshan Sahni @ Raushan Kumar Sahni S/O Arjun Sahani @ Arju Sahani R/O Village- Jagwan Kataiya, P.S.- Patauna, District- Madhubani
2. Sambhu Sahni S/O Late Lakshmi Sahni R/O Village- Jagwan Kataiya, P.S.- Patauna, District- Madhubani
3. Rama Sahni @ Ram Sahni S/O Jailal Sahni R/O Village- Jagwan Kataiya, P.S.- Patauna, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Murari Narain Chaudhary, Adv.

For the Opposite Party/s : Mr. Humayou Ahmad Khan, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 01-12-2025 Heard learned counsel for the petitioners and
learned APP for the State.

2. The petitioners have prayed for regular bail in a case registered for the offence punishable under sections 137(2), 96 and 3(5) of the B.N.S.

3. The case of the prosecution in short is that the daughter of the informant aged about 17 years went out of her house, the petitioners along with other kidnapped her for the purpose of marriage. During the course of investigation, the victim has given her statement under section 183 of the B.N.S.S. wherein she has stated that she was having talks with one



Roshan Kumar, her marriage was fixed with one Sunil Kumar by her parents the behaviour of Sunil Kumar was not good towards her also he used to assault her therefore, she returned to her parental house. She went with Roshan Kumar to her aunt's place and remained there for four days.

4. Learned counsel for the petitioners submits that from perusal of the paragraph 59 of the case diary, it would transpire that the victim was handed over to Anju Devi wife of Shambhu Sahni. Learned counsel for the petitioners further submits that in this case there are two Roshan, one is son of Shambhu Sahni and second is the son of Arjun Sahni. This petitioner is the son of Arjun Sahni and from perusal of the FIR it is clear that the main thrust of allegation is against the Roshan Kumar son of Shambhu Sahni. A statement has been made in para-3 of this petition that the petitioners have got no criminal antecedent except for one criminal antecedent of petitioner no.2. Moreover, they are languishing in judicial custody since 28.05.2025.

5. Learned APP appearing for the State has vehemently opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is



inclined to enlarge the petitioners on bail. The above named petitioners are directed to be released on bail in connection with Patauna P.S. Case No. 39 of 2025 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Benipatti, Madhubani.

7. It is very dis-heartening that from perusal of the case diary, it is clear that the date of birth of victim is 01.01.2008 and learned Trial Court has handed over the victim to the mother of the main accused whereas he should have been handed over to either to her parents or Nari Niketan or any safe place of stay.

8. Call for a report from the learned Trial Court as to under what circumstances the victim has been handed over to Anju Devi wife of Shambhu Sahni.

(Ashok Kumar Pandey, J)

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