

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70106 of 2024

Arising Out of PS. Case No.-350 Year-2024 Thana- BHABHUA District- Kaimur (Bhabua)

Sachin Seth Son of Kishori Seth, R/o Village- Pratap Pur PS- Adalhaat
District -Mirzapur, UP Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Krishna Prasad Singh, Sr. Advocate
		Mr.Aquaib Khan, Advocate
For the Opposite Party/s :		Mr.Parmanand Prasad, APP
For the Informant	:	Mr. Rajesh Kumar Mishra, Advocate

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

8 11-09-2025 Heard learned counsel appearing on behalf of the

petitioner and learned APP appearing on behalf of the State.

2. The petitioner seeks bail in connection with Bhabhua

P.S. Case No. 350/2024, registered for the offence under Section

366-A of the Indian Penal Code.

3. The accused/petitioner is named in the F.I.R. and is

in custody since 06.08.2024.

4. As per FIR, the minor daughter of the informant aged

about 17 years and 6 months was found missing from her home,

where the informant found that on last day her missing daughter

messed to mobile of the petitioner, which was reason for

suspicion qua involvement of the petitioner.

5. Mr. Krishna Prasad Singh, learned senior counsel



appearing on behalf of the petitioner submitted that from the face of FIR, it can be gathered safely that the family of the informant including victim was known and acquainted to the petitioner and his family and, therefore, there was a regular conversation between victim and the petitioner. It is submitted that even the text message sent on the date of missing of victim was not collected provided by the informant to police. It is submitted that petitioner was present and available throughout at his home and save and except suspicion nothing surfaced against him during investigation *qua* missing of daughter of the informant. It is pointed out that during investigation, it transpires that beside this petitioner the victim daughter of the informant was in talking terms with Rahul Seth, Soni and Kaushal Seth also, where the co-accused Rahul Seth was granted anticipatory bail by one of the learned co-ordinate Bench of this Court through Cr. Misc. No. 3496 of 2025 dated 28.07.2025. While concluding the argument, it is submitted that investigation of this case is already completed, for which charge-sheet has been submitted, as such, there is no chance of tampering with the evidence and, moreover, petitioner is a man of clean antecedent.

6. Learned APP duly assisted by learned counsel Mr. Rajesh Kumar Mishra, appearing on behalf of the informant while



opposing the prayer of bail submitted that the petitioner was in frequent conversation with victim daughter of the informant. It is submitted that message sent to the petitioner was deleted by him and, therefore, a suspicion raised against petitioner *qua* his involvement with present crime in question. It is submitted that still the daughter of the informant is missing and for same, a Cr. Writ was filed before this Court, which is still pending as Cr.W.J.C. No. 2449 of 2024, where S.P. of District Kaimur at Bhabhua undertake for Narco test of this petitioner.

7. Taking note of aforesaid submission, Mr. Singh appearing for the petitioner submitted that if so required and directed, the petitioner undertakes to report before the Investigating Officer, as and when directed to join.

8. Considering the aforesaid factual submissions and by taking note of fact as save and except suspicion arising out of telephonic conversation, nothing incriminating surfaced against this petitioner *prima facie* to suggest his involvement with present crime in question, coupled with the fact that investigation of this case is already completed, where petitioner remains in custody since 06.08.2024, accordingly, petitioner above named, is directed to be released on bail in connection with Bhabhua P.S. Case No. 350/2024 on furnishing bail bond of Rs.10,000/- (Rupees Ten



Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Kaimur at Bhabhua/concerned Court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C./Section 480(3) of BNSS, with further conditions that:-

“(i) Accused/Petitioner shall cooperate in the trial and shall be physically present on each and every date before the Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the Trial Court, only on medical ground of the petitioner duly supported by the documents.

(ii) Petitioner shall cooperate in further investigation if any, in case of non-compliance of aforesaid conditions, the informant/State shall be at liberty to press for cancellation of bail bond of the petitioner before the learned trial court itself, which be decided, after giving fair opportunity of hearing to the petitioner.”

(Chandra Shekhar Jha, J)

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