

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74784 of 2025

Arising Out of PS. Case No.-260 Year-2025 Thana- SHIVSAGAR District- Rohtas

1. RAM BACHAN SINGH S/o- Late Mukhram Singh @ Bhukharam Singh
Resident of Village- Shahpur Police Station-Sasaram (M) District-Rohtas
2. Shivam Kumar S/o- Sri Ram Bachan Singh Resident of Village- Shahpur
Police Station-Sasaram (M) District-Rohtas

... .. Petitioner/s

Versus

The State of Bihar

.. ... Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raghunandan Kumar Singh, Advocate
For the Opposite Party/s : Mr.Anuj Kumar Shrivastava, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 19-11-2025 Heard the parties.

2. The petitioners are apprehending arrest in connection with Shivsagar P.S. Case No. 260 of 2025 instituted under Sections 137(2), 140(3) of the Bhartiya Nayay Sanhita, 2023 lodged on 04.08.2025 by the informant, Bablu Kumar Singh.

3. As per the prosecution story, the informant alleged that his sister went to temple but failed to return. Later, it came to notice that Subham Kumar has taken her away with the active help of present petitioner who are the father and brother. This led to the FIR.

4. Learned counsel for the petitioners submit that the petitioner no.1 was in relationship with the informant's sister, they went on their own, the entire family members have been roped in. Further, the girl upon return, has not allege any wrong



doing against Subham Kumar and further recorded that she went to his sister's house. Further, she refused to undergo medical examination, in any case, the two petitioners are father and brother having no criminal antecedent have no role to play in the matter.

5. Learned APP opposes the prayer submitting that they played role in the disappearance of the informant's sister.

6. Considering the submissions of the parties as also the aforesaid facts, the girl has returned and not alleged anything against Subham Kumar much less the petitioners who are father and brother, both have no criminal antecedent, in that background, this Court is inclined to extend them the privilege of anticipatory bail.

7. Let the petitioners be released on bail, in the event of their arrest or surrender before the subordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each in connection with Shivsagar P.S. Case No. 260 of 2025 to the satisfaction of learned Chief Judicial Magistrate, Rohtas at Sasaram subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other conditions.



(i) one of the bailor should be the family member/relative of the petitioners who shall provide official document to show his/her bona fide;

(ii) the petitioners shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bond by the Trial Court itself;

(iii) the petitioners shall co-operate in the investigation and make themselves available to the police as and when required;

(iv) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(vi) the petitioners shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Rajiv Roy, J)

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