

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79061 of 2025

Arising Out of PS. Case No.-399 Year-2025 Thana- MAHUA District- Vaishali

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Sujeet Kumar @ Sujeet Kumar Sah S/O Sandeep Kumar Sah @ Sandeep Sah
Resident of Samaspura, P.S- Mahua, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pranav Kumar Jha, Advocate

For the Opposite Party/s : Mr.Binod Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 03-12-2025 Heard Mr. Pranav Kumar Jha, learned counsel

appearing on behalf of the petitioner and Mr. Binod Kumar,

learned APP appearing on behalf of the State.

2. The petitioner apprehends his arrest in connection
with Mahua P.S. Case No. 399 of 2025 registered under
Sections 87,137(2),3(5) of the BNS.

3. As per the allegation made in the FIR, the petitioner
along with other accused kidnapped the daughter of the
informant.

4. Learned counsel appearing on behalf of the
petitioner submitted that the petitioner is innocent and he has
falsely been implicated in the present case. The statement of the
victim has been recorded under Section 183 of the BNSS, in
which the victim has stated that she returned from Siliguri along



with her parents and in para 8 of the bail application also learned counsel has given information that the victim girl had gone, on her own, to her maternal uncle's house, which is situated at Siliguri. The petitioner has clean antecedent. On these grounds, the petitioners seek to be released on pre-arrest bail.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Having considered the rival submissions made on behalf of the parties, as well as, the fact that statement of the victim has been recorded under Section 183 of the BNSS, in which the victim has stated that she returned from Siliguri along with her parents and in para 8 of the bail application also learned counsel has given information that the victim girl had gone, on her own, to her maternal uncle's house, which is situated at Siliguri. In view of the statement of the victim recorded under Section 183 of the BNSS I find that the allegation against the petitioner, against whom allegation of kidnapping has been made, is *pima facie* appears to be falsified. The petitioner is having clean antecedent. I am of the opinion that the petitioner has, *prima facie*, made out a case to be released on anticipatory bail **subject to the verification of the**



statement of the victim recorded under Section 183 of the BNSS.

7. The learned District Court is directed to release the petitioner on anticipatory bail, in the event of his arrest or surrender before the learned District Court, **subject to the verification of the statement of the victim recorded under Section 183 of the BNSS**, within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each, to the satisfaction of learned District Court where the case is pending in connection with Mahua P.S. Case No. 399 of 2025 , subject to the condition as laid down under Section 482 of the BNSS//438(2) of the Cr.P.C.

8. The learned District Court is directed to verify the criminal antecedent of the petitioner, as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioner, as what has been stated in paragraph no. 3, this order will lose its force automatically.

(Purnendu Singh, J)

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