

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16850 of 2026

Arising Out of PS. Case No.-210 Year-2025 Thana- MOHIUDDIN NAGAR District-
Samastipur

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Fudo Sahani Son of Yadu Sahani Resident of village - Rahepur Tetarpur, Ward
No.- 2, Police Station - Mohiuddin Nagar, District - Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anant Kumar Mishra, Advocate
For the Opposite Party/s : Mrs. Madhuri Lata, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 17-03-2026 Heard Mr. Anant Kumar Mishra, learned counsel for
the petitioner and Mrs. Madhuri Lata, learned APP for the State.

2. Petitioner seeks bail, who is in custody since
12.01.2026, in connection with Mohiuddin Nagar P.S. Case No.
210 of 2025, F.I.R. dated 09.10.2025 registered for the offences
punishable under Sections 137(2), 96, 3(5) of the B.N.S.

3. Allegation against the petitioner is that he along
with other co-accused persons have kidnapped the daughter of
the informant.

4. Learned counsel for the petitioner submits that the
petitioner has clean antecedent and he has been falsely
implicated in the present case. He further submits that the
allegation as alleged in the F.I.R. is false and fabricated and the



petitioner has not committed any offence as alleged in the F.I.R. The petitioner is not named in the F.I.R. and the name of the petitioner has been transpired during investigation on the basis of statement of victim which was recorded under Section 183 of the B.N.S.S. in which she has stated that the petitioner was accompanied with co-accused person namely Rohit Kumar and Rohit Kumar who happens to be the nephew of the petitioner and apart from aforesaid the victim has not stated anything about the sexual assault against the petitioner in his statement recorded under Section 183 of the B.N.S.S. and petitioner has been made accused merely on the ground that he is uncle of the co-accused person Rohit Kumar. The petitioner is in custody since 12.01.2026.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner.

6. Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Sahapur Patory, Samastipur in connection with Mohiuddin Nagar P.S. Case No.



210 of 2025, subject to the following conditions :-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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