

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19953 of 2026

Arising Out of PS. Case No.-615 Year-2017 Thana- PURNEA SADAR District- Purnia

Mahesh Sahni Son of Sri Bikau Sahni @ Bikash Sahni Resident of Srinagar
chowk P.S- Muffasil, Dist- Purnea

... .. Petitioner/s

Versus

1. The State of Bihar
2. Kabutari Devi Wife of Sri Ratan Sahni Resident of Srinagar chowk P.S-
Muffasil, Dist- Purnea

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Amit Kumar Anand, Advocate
For the State	:	Mr. Raj Kishor Singh, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 08-04-2026 Heard learned counsel appearing on behalf of the
petitioner and learned APP appearing on behalf of the State.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 341, 342, 347 and 354 of the Indian Penal Code.

3. The prosecution case, in brief, is that on 13.10.2017 at about 1:30 AM, when the minor daughter of informant had gone to see *Mela* at *Peer Asthan*, this petitioner kidnapped her by motorcycle and when the petitioner parked his motorcycle near *Bilriya chawk*, she jumped from the motorcycle and went to the house of one *Subodh Rishi* and in the next morning, she came to her village and narrated the entire story. It is further



alleged that thereafter, a *Panchayati* was also convened wherein, this petitioner confessed his guilt.

4. It is submitted by learned counsel appearing on behalf of the petitioner that petitioner is quite innocent and has committed no offence. The present F.I.R. has been lodged after inordinate delay of more than one month and there is no plausible explanation for the same which itself makes the entire prosecution case doubtful. In this case, after thorough investigation, the police submitted final form against this petitioner, however, differing with the same, the learned trial court took cognizance under Section 366 of the Indian Penal Code. Petitioner has got no criminal antecedents and there is absolutely no allegation of tampering with the evidence.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioner and submitted that petitioner is named in the F.I.R. and there is specific accusation that this petitioner kidnapped the minor daughter of informant. In Paragraph No. 7 of the case diary, the victim has supported the prosecution case. It is further submitted that the present case is of the year 2017 and the prayer for grant of anticipatory bail to the petitioner has been dismissed by the learned trial court on 20.10.2022 itself and



since then, this petitioner is absconding due to which the trial of the case has been hampered for four year.

6. Considering the facts and circumstances of the case, specific and direct nature of accusation, gravity of offence and conduct of the petitioner, the prayer for grant of anticipatory bail to the petitioner is rejected.

(Prabhat Kumar Singh, J)

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