

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23544 of 2026

Arising Out of PS. Case No.-452 Year-2025 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

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1. Birendra Sahani @ Birendra Kumar, S/O Ganaur Sahani, R/o ward no. 37, vill - Laguniya Suryakanth, Korbaddha, P.S.- Muffasil, Dist.- Samastipur
 2. Indresh Sahani @ Indresh Kumar, S/o Ganaur Sahani, R/o ward no. 37, vill - Laguniya Suryakanth, Korbaddha, P.S.- Muffasil, Dist.- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kundan Kumar, Adv.

For the Opposite Party/s : Mr. Satyendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

4 14-07-2026

Heard the parties.

2. The petitioners apprehend their arrest in connection with Muffasil P.S. Case No. 452 of 2025 dated 12.11.2025 registered for the offences punishable under sections 137(2), 96, 126(2), 115(2), 352, 351(2) & 3(5) of the Bharatiya Nyaya Sanhita.

3. As per the prosecution story, the informant alleged that on 16.10.2025, his 16-year-old daughter went to switch on the light at their tube well (boring) but did not return home. During the search, he came to know that the accused persons, along with the petitioners, had kidnapped her. On protest, the accused persons threatened him over the phone that



the victim would not be returned and would be sold to a brothel if he continued to press for her release.

4. Learned counsel appearing for the petitioners submits that the victim is a married lady and before the registration of the present matter, the mother-in-law of the victim had lodged Dalsingsarai P.S. Case No. 363 of 2025 with regard to the allegation of the disappearance of the victim and alleged that one Sikander Sahani, brother of both the petitioners, had eloped with the victim along with ornaments, though the FIR of that matter was lodged after an inordinate delay of 7 days. It is further submitted that the FIR of the present matter was lodged by the victim's father with the allegation of taking away of his daughter by the petitioners and others, apprehending that the victim might be sold for prostitution but the said FIR was lodged after an inordinate delay of 27 days without giving any plausible explanation and in the entire FIR, only suspicion was raised by the prosecution.

5. Learned APP appearing for the State opposes the prayer of the petitioners.

6. Heard both the sides and perused the FIR and the case diary of the present case. Though the FIR of the present matter was lodged after the delay of 27 days and the informant



also does not appear to be an eyewitness to the commission of the alleged occurrence, mentioned in the FIR, however admittedly the victim is still traceless and the case is under investigation and the informant had suspected the petitioners to be involved in the disappearance of the victim, so, at this stage, this Court is not inclined to grant the relief of anticipatory bail to the petitioners. Accordingly, their prayer stands rejected.

(Shailendra Singh, J)

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