

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28576 of 2026

Arising Out of PS. Case No.-746 Year-2025 Thana- MADHAURAH District- Saran

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1. Vikash Kumar Son of Punit Ram Resident of village- Hasanpura, P.O. and P.S. Marhowrah, District- Saran-841418.
 2. Govind Kumar @ Govinda Kumar, aged about 18 years, male, son of Virendra Ram, Resident of village- Marhowrah Khas, P.O.- Marhowrah, P.S.- Marhowrah, District- Saran-841418

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Jeetendra Narayan, Advocate
For the State	:	Mr. Rajendra Singh, APP

CORAM: HONOURABLE MR. JUSTICE GIRIJISH KUMAR
ORAL ORDER

3 24-07-2026 Heard learned counsel appearing on behalf of the
petitioners and learned APP appearing for the State.

2. The petitioners seek bail in connection with Marhaura P.S. Case No. 746 of 2025 instituted for the offences punishable under section 137(1)(b), 137(2) of B.N.S and later on sections 140(3) and 143(4) of B.N.S.

3. According to prosecution case, a 2 ½ months old child of the informant was kidnapped. It has come in the confessional statement of the co-accused, Prince Kumar that the petitioners were standing on the road when the child was stolen.

4. Learned counsel for the petitioners submits that the petitioners are innocent, committed no offence, and have been



falsely implicated in the instant case. In fact, the petitioners have not been named in the FIR, however, their name transpired in this case on the basis of confessional statement of the co-accused, Prince Kumar. He further submits that the petitioners have no criminal antecedent and nothing has been recovered from the conscious possession of the petitioners. He further submits that the petitioners are in custody since 29.01.2026. Hence, the petitioners may be granted the regular bail.

5. Learned APP appearing for the State vehemently opposed the prayer for bail of the petitioners and submits that though the petitioners have not been named in the FIR, but the name of the petitioners have been transpired in this case during course of investigation on the confessional statement of the co-accused, namely Prince Kumar. He further submits that it is apparent from the paragraph 41 of the case diary that the stolen child has been recovered from the home of the co-accused, and the petitioners are in association with co-accused. Moreover, the different Co-ordinate benches of this Hon'ble Court have already rejected the prayer of regular bail of the three accused persons vide order passed in Cr. Misc. No. 18518 of 2026 dated 12.03.2026, Cr. Misc. No. 22001 of 2026 dated 16.03.2026 and



Cr. Misc. No. 23267 of 2026 dated 18.04.2026 respectively.

6. Considering the facts and circumstances of the case and also the fact that the petitioners are alleged to be a member of the gang indulged in stealing of the child, therefore, this Court is not inclined to grant bail to the petitioners.

7. However, the petitioners would be at liberty to renew his prayer for bail after three months.

8. It is made clear that any observation/s made herein is prima facie in nature and limited for the purpose of adjudication of the present bail application. Such observation shall not be construed to be on the merit of the case and shall not influence the trial or any other proceedings in any manner.

(Girijish Kumar, J)

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