

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33288 of 2026

Arising Out of PS. Case No.-247 Year-2022 Thana- VAISHALI District- Vaishali

Rohit Kumar Son of Suresh Sah Resident of village- Hajpura PS -Vaishali
(Belsar) District -Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Rajeev Ranjan, Advocate
For the State : Mr. Rabindra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RITESH KUMAR
ORAL ORDER

3 20-07-2026 Heard the learned counsel for the petitioner and the
learned A.P.P. appearing on behalf of the State.

2. This is the second attempt for grant of privilege of anticipatory bail to the petitioner. His earlier anticipatory bail petition was rejected vide order dated 21.03.2023 passed in Criminal Miscellaneous No.72222 of 2022 by a learned Co-ordinate Bench of this Hon'ble Court.

3. The petitioner apprehends his arrest in connection with Vaishali (Belsar O.P.) P.S. Case No.247 of 2022 for allegedly having committed offences under Sections 363, 365, 366 and 34 of the Indian Penal Code.

4. As per the prosecution story, which has been lodged on the basis of the written report submitted by the informant, to the effect that whenever he and his wife were not present in their



house, co-accused, Mina Devi and Malti Devi used to come to his house and used to tell his daughter Amrita Kumari to talk with the petitioner. On 20.06.2022 when the informant and his wife were not present and only his daughter was present and when they returned on 21.06.2022, they got information that the petitioner along with other co-accused persons have kidnapped his daughter and also stolen cash, jewelleryes and valuable articles. When they went to the house of the petitioner to enquire about the matter, the petitioner and his mother became very angry and they abused the informant and his wife.

5. The learned counsel for the petitioner submits that the allegation of kidnapping the daughter of the informant is not true, since the daughter of the informant has already filed a petition on 07.07.2022 before the court of learned Chief Judicial Magistrate, Vaishali in relation to the present First Information Report, wherein she stated that she is major and nobody has kidnapped her and her father has filed a false case against all the accused persons. She further stated that she has already married with the petitioner on 23.06.2022. The learned counsel for the petitioner further submits that earlier the petitioner along with co-accused, Suresh Sah and Meena Devi had filed Criminal Miscellaneous No.72222 of 2022, however the same was rejected by a Hon'ble Single Judge of this Court vide order dated 21.03.2023. Against the said



order, two of the co-accused namely, Meena Devi and Suresh Sah approached the Hon'ble Supreme Court of India by filing Special Leave Petition (Criminal) Diary No(s). 56152/2024 which was later on numbered as Special Leave to Appeal (Crl.) No(s). 1061/2025, wherein the Hon'ble Supreme Court of India vide its order dated 20.01.2025 while issuing notice, directed that till the next date of hearing, the petitioners shall not be arrested in connection with Vaishali P.S. Case No.247 of 2022, subject to the petitioners joining investigation as and when called upon to do so by the investigating officer. It is further submitted that later on vide order dated 13.02.2026 after hearing the learned counsel for the parties and without expressing any opinion on the merits, the interim order dated 20.01.2025 was made absolute subject to the condition that the petitioners shall continue to appear before the Investigating Officer and shall fully cooperate with the ongoing investigation. He further submits that since other co-accused have been granted bail by the Hon'ble Supreme Court of India, therefore the petitioner also deserves anticipatory bail.

6. *Per contra*, the learned counsel appearing on behalf of the State opposes the prayer for grant of anticipatory bail to the petitioner and submits that his anticipatory bail petition was already rejected vide order dated 21.03.2023 passed in Criminal Miscellaneous No.72222 of 2022 by a Hon'ble Single Judge of



this Court.

7. Having considered the rival submissions and after going through the records, it appears that the anticipatory bail petition of the petitioner, Meena Devi and Suresh Sah was rejected by a learned Co-ordinate Bench of this Court vide order dated 21.03.2023. Two of the accused persons namely, Meena Devi and Suresh Sah moved before the Hon'ble Supreme Court of India and have been granted the privilege of anticipatory bail, however the petitioner herein did not choose to move before the Hon'ble Supreme Court of India for the reasons best known to him and now has again filed the present anticipatory bail petition.

8. Taking into consideration the fact that earlier the anticipatory bail petition of the petitioner was already rejected and no new fact has been brought on record, except the order dated 20.01.2025 and 13.02.2026 passed by the Hon'ble Supreme Court of India, this Court is of the considered opinion that the anticipatory bail petition of the petitioner is fit to be rejected and the same is hereby rejected.

(Ritesh Kumar, J.)

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