

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33910 of 2026

Arising Out of PS. Case No.-1150 Year-2015 Thana- SAMASTIPUR COMPLAINT CASE
District- Samastipur

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1. Arun Kumar Rai @ Arun Rai S/O Late Madan Rai R/O Village- Sahpur Barath, P.S- Patori, District- Samastipur
 2. Vinod Rai S/O Late Madan Rai R/O Village- Sahpur Barath, P.S- Patori, District- Samastipur
 3. Pankaj Kumar Rai @ Pankaj Rai S/O Arun Rai @ Arun Kumar Rai R/O Village- Sahpur Barath, P.S- Patori, District- Samastipur

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Sanju Devi Wife of Haresh Pandit Resident of Village- Jalalpur, P.S.- Patori, District- Samastipur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Yugal Kishore, Advocate

For the Opposite Party/s : Mr. Dr. Indihar Kumari, APP

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 20-05-2026 Heard the learned counsel for the petitioners and
learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Complaint Case No.1150 of 2015, F.I.R dated 10.06.2015 registered for the offences punishable under Sections 147, 149, 341, 342, 448, 364 and 504 of the Indian Penal Code.

3. According to prosecution case, the accused persons allegedly took away the complainant's son after assuring that he



would return soon, but he did not return. Subsequently, on 08.06.2015, the complainant received a phone call from her son stating that the accused persons were demanding a ransom of Rs. 2 lakhs and had threatened to kill him if the amount was not paid within two days. It has further been alleged that despite approaching the police authorities, no FIR was lodged. The alleged motive behind the occurrence is that the daughter of Vinod Rai had fled away, and the accused persons suspected the complainant's son and his nephew of having taken her away.

4. Learned counsel for the petitioners submits that the son of the complainant, namely, Raja Pandit, along with his nephew, Jila Pandit, had taken away the daughter of petitioner No. 2, namely, Vinod Rai. It is further submitted that, upon pressure being exerted by the family members of petitioner No. 2 upon the complainant, the daughter of petitioner No. 2 returned to her house and, in order to safeguard her future, no case was instituted against the son of the complainant. It has been contended that, in this background and with a view to avoid future complications, the complainant has instituted the present complaint case against these petitioners alleging kidnapping of his son, whereas, in fact, the complainant's son returned home after five days of the alleged incident, on his own.



5. Learned APP for the State opposes the prayer for anticipatory bail application.

6. Considering the aforesaid facts and circumstances that the son of the complainant has already returned home and the complaint is pending before the Court concerned, which will be brought to a logical conclusion, as per the evidences adduced by the parties. Accordingly, this Court is inclined to grant the privilege of anticipatory bail to the petitioners.

7. Let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned District & Additional Sessions Judge – IX, Samastipur, in connection with Complaint Case No.1150 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-

(i) one of the bailors should be the family member/relative/known of the petitioner(s) who shall provide official document/personal affidavit to show his/her bona fide;



(ii) the petitioner(s) shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her/their bail bond by the Trial Court itself;

(iii) the petitioner(s) shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner(s) shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Ajit Kumar, J)

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