

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34735 of 2026

Arising Out of PS. Case No.-678 Year-2015 Thana- SITAMARHI District- Sitamarhi

Sanjay Kumar @ Sanjay Rai S/o Late Ram Briksh Prasad Yadav R/o Village-
Bedaul Baj Asogi Chhapra Dhani @ Asogi Chhapra Dhani, P.S.- Purnahiya,
District- Sheohar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Ms. Rina Sinha, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 28-07-2026 Heard the learned Advocate for the petitioner and the
learned Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in connection with Sitamarhi. P.S. Case No. 678 of 2015, registered for the offences punishable under Sections 363 and 364 of the Indian Penal Code.

3. The informant's husband left his home to reach the bank where he was employed. However, in the way, he was kidnapped, leading to institution of the present FIR. During the course of investigation, besides the informant's husband was recovered, one Mithilesh Pathak was also apprehended by the police, who disclosed in his confession about the complicity of the petitioner, and accordingly, his name has been surfaced.

4. Learned Advocate for the petitioner submits that save and except the confessional statement, there is no iota of



evidence which shows the complicity of the petitioner in crime. The confession before the police, in the submission of the learned Advocate for the petitioner, has no evidentiary value, and since the FIR has been registered against unknown persons, and the petitioner was not acquainted with the confession of any apprehended person, therefore, delay has occurred.

5. On the other hand, learned Advocate for the State opposed the pre-arrest bail application and submits that the FIR was instituted way back in the year 2015, and the name of the petitioner has surfaced in the confessional statement of co-accused Mithilesh Pathak, who was apprehended immediately. Besides, the petitioner is also carrying two criminal antecedents.

6. Having considered the submissions advanced on behalf of the learned Advocate for the respective parties and taking note of the fact that the petitioner has been evading his arrest for over a decade, besides he is carrying two criminal antecedents, this Court is not acceded to the prayer for anticipatory bail of the petitioner.

7. Accordingly, the prayer for pre-arrest bail of the petitioner stands rejected.

(Harish Kumar, J)

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