

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36958 of 2025

Arising Out of PS. Case No.-479 Year-2018 Thana- NAUTAN District- West Champaran

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Dharmendra Kumar @ Dharmendra Kumar Sahni S/O Ram Lakhan Chaudhary @ Lakhan Lal Shahni Resident of Village- Purushotampur, P.S.- Majhauriya, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner : Mr. Ramakant Sharma, Sr. Advocate
Mr. Dharendra Kumar, Advocate
For the Opposite Party/s : Mr. Damodar Prasad Tiwary, APP

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CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

9 20-02-2026 Heard Mr. Ramakant Sharma, learned senior counsel
for the petitioner and learned APP for the State.

2. The petitioner seeks bail in a case registered for the offence punishable under Sections 365 and 366/34 of the Indian Penal Code.

3. As per the prosecution case, the petitioner in association of other co-accused is said to have kidnapped the daughter of the informant for solemnizing marriage.

4. It is submitted by learned senior counsel for the petitioner that the entire case rests on the evidence of last seen even considering the counter affidavit filed by the Superintendent of Police. However, this Court realises that the case is of the year 2018 and it is the fault of the petitioner that



enough delay has been caused and finally the petitioner surrendered on 29.03.2025 and since then he is in custody. The chargesheet has been submitted in this case. Initially the case was instituted under Section 365 and 366/34 of the Indian Penal Code but the chargesheet has been submitted under Section 302 of the I.P.C. making the case serious in nature.

5. Learned APP for the State vehemently opposing the bail petition submitted that considering the seriousness of the offence, the petitioner does not deserve privilege of bail.

6. Taking into consideration the facts and circumstances of the case and also realizing the fact that the delay in this case has been caused and the progress of this case has been hampered due to the petitioner, I am not inclined to enlarge the petitioner on bail at this stage. The prayer for bail is hereby rejected. However, the petitioner would be at liberty to renew his prayer for bail after framing of charge.

(Soni Shrivastava, J)

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