

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57760 of 2025

Arising Out of PS. Case No.-163 Year-2025 Thana- PARSA District- Saran

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Rajan Mahto @ Rajan Kumar Mahto S/o Shankar Mahto R/o Village-
Anayay, P.S.- Parsa, District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Prasad Singh, Advocate

For the Opposite Party/s : Mr. Jharkhandi Upadhyay, APP

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CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

6 10-02-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in connection with
Parsa P.S. Case No. 163 of 2025 registered for the offence
punishable under Sections 96, 3(5) of the B.N.S., 2023.

3. The case of the prosecution in short is that the minor
daughter of the informant was kidnapped by the petitioner and
others at 03:30 AM.

4. Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has committed no
offence. He has been falsely implicated in this case. He also
submits that from perusal of the FIR, it is clear that the informant
searched for the victim and at about 07:00 AM, Shankar Mahto
and his two sons met her but did not disclose anything. She was



sent to many places, but she could not find the victim.

5. Learned counsel for the petitioner further submits that from perusal of the FIR, it is clear that the informant is not an eye-witness because at the time when the daughter of the informant was allegedly kidnapped, the informant did not raise any alarm despite allegedly knowing about and watching the incident. The victim also did not raise any alarm. In the present case, the victim has not been recovered as yet.

6. In this regard, the Superintendent of Police, Saran, was directed to search for the victim. The Superintendent of police, Saran, has filed a counter affidavit and from perusal of the counter affidavit, it is clear that, as per report provided by Technical Cell, Saran mobile numbers 8757007053 & 8179880757 were being used in the SIM card slots bearing IMEI Nos. 864302062985990 & 357727107871130 respectively. Both the SIM cards were found to be registered in the name of accused, Rahul Kumar and the most recent location was found to be in Hyderabad in October, 2025 but later information was received from Technical Cell, Saran that the said mobile numbers have now been switched off.

7. Learned counsel for the petitioner also submits that in this case, a chargesheet has been filed against the petitioner and from perusal of the report of the Superintendent of Police, Saran,



it seems that Rahul, who is still absconding, is the main accused. He also submits that the petitioner is only a cousin of the Rahul and he has been made an accused only on the basis that he did not disclose the whereabouts of the victim. Moreover, a statement has been made in para 3 of the petition that petitioner has no criminal antecedent and he is languishing in judicial custody since 31.05.2025.

8. The application for bail is opposed by learned APP for the State.

9. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-IX, Saran at Chapra in connection with Parsa P.S. Case No. 163 of 2025.

(Ashok Kumar Pandey, J)

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