

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62202 of 2025

Arising Out of PS. Case No.-175 Year-2024 Thana- LALGANJ District- Vaishali

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1. Shatrudhan Rai S/o Late Mahavir Rai Resident of village- Khagauli, Ps- Lalganj, District- Vaishali
 2. Deepak Kumar S/o Shatrudhan Rai Resident of village- Khagauli, Ps- Lalganj, District- Vaishali

... .. Petitioner/s

Versus

1. The State of Bihar
2. Most. Rita Devi W/o Late Kapildeo Rai R/o vill - Khagauli, P.S.- Lalganj, Distt.- Vaishali

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Shyameshwar Kumar Singh, Advocate
For the Opposite Party/s :	Mr.Anil Kumar, A.P.P.
	Mr. Abhinav Ashoke, Advocate

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

3 09-02-2026 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners apprehend their arrest in connection with Lalganj P.S. Case No. 175 of 2024, instituted for the offences under Section 364 of the Indian Penal Code.

3. Prosecution case, in short, is that when daughter of the informant did not return from school, the informant started searching for her. It is further alleged that daughter of the informant was kidnapped as some persons wanted to take possession of their land by killing them.



4. Learned counsel for the petitioners submitted that the petitioners have falsely been implicated in the present case. The name of the petitioners transpired in this case on the basis of restatement of informant. Learned counsel for the petitioners submitted that general and omnibus allegation has been made against the petitioners. Petitioner No.1 is the own uncle of the victim and petitioner No.2 is cousin of victim. It has been submitted on behalf of the petitioner No. 1 has one criminal antecedent, whereas petitioner No.2 has no criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. There is specific allegation against the petitioners. After completion of the investigation Charge-sheet under Sections 363, 366(A), 372, 373, 376(AB), 324 and 328/34 of the I.P.C. and Section 4 of POCSO Act has been submitted against the petitioners.

6. Considering the aforesaid facts and circumstances of the case, nature and gravity of offences, in my view, this is not a fit case for anticipatory bail.

7. Accordingly, the prayer for grant of anticipatory bail to the petitioners is, hereby, rejected.

8. However, if the petitioners surrender before the learned court below within a period of six weeks from today and



prays for regular bail, the same shall be disposed of on its own
merit without being prejudiced by this order.

(Rudra Prakash Mishra, J)

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