

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66343 of 2025

Arising Out of PS. Case No.-194 Year-2025 Thana- BAHADURPUR District- Darbhanga

Vikash Sahni @ Vikash Kumar S/o Ashok Sahni Ashok sahni R/o Mohalla-
Rambagh, Ward No. 23, P.S.- Laheriasarai, District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Madhumala Kumari, Advocate

For the State : Mr. Nitya Nand Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

3 21-01-2026 Heard Ms. Madhumala Kumari, learned counsel
for the petitioner and learned APP representing the State.

2. The petitioner is apprehending his arrest in connection with Bahadurpur P.S. Case No. 194 of 2025 registered for the offence under Sections 96, 352, 303(2) and 61(1) of the Bharatiya Nyaya Sanhita, lodged on 14.04.2025 by the informant, Rajendra Sah.

3. As per the prosecution story, the informant alleged that in the morning, he found his minor daughter missing and the cash amount/jewellery were also not found. Upon enquiry, the role of the petitioner, his family members came which followed the F.I.R..

4. Subsequently, the girl returned and though the earlier statement before the Police by the girl recorded that she was in relationship with the petitioner but as the father was not agreeable, she left her house and upon knowledge that F.I.R. has



been lodged, returned. This was recorded on 15.04.2025 but later, the statement made by her under section 183 B.N.S.S. on the same day, recorded that the petitioner asked her to move alongwith jewellery/amount, else she will be killed.

5. Accordingly, she left alongwith the amount/jewellery but when they reached the petitioner's house, the parents directed the boy to immediately get the girl returned to her home, else they will be implicated. Though, she returned home, but the amount/jewellery remained with the boy.

6. Learned counsel for the petitioner submits that on the same day, two different statement has been made by the girl, actually, they were in relationship, she left the place on her own but later, she has made a different statement, F.I.R. is there, he shall be facing the trial.

7. Further submission is that in her subsequent statement made by her, she made allegation against, Saurav Kumar as one of the accomplice who was present at the spot. However, the Police has recorded in paragraph no.44 of the case diary that actually, in a case of Excise Act in Madhubani P.S. Case No. 111 of 2025, Saurav Kumar was in custody since 27.03.2025. The last submission is that the petitioner is a student/appearing for competitive exam and has no criminal



antecedent.

8. Learned APP opposes the prayer submitting that the girl in her subsequent statement has made allegation against the petitioner.

9. Having heard the parties and going through the facts of the case, allegation is there but this Court cannot ignore the fact that the girl on the same day made two statements and atleast part of the statement made by her has been found to be untrue inasmuch as Saurav Kumar who she alleged was present at the spot is/was in custody two weeks prior to the said incident. The petitioner has no criminal antecedent, is a student, appearing for competitive exam, F.I.R. is there, an undertaking has been given that he shall be diligently appearing in trial, in that background, this Court is inclined to extend him the privilege of anticipatory bail.

9. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Judicial Magistrate, First Class, Darbhanga, in connection with Bahadurpur P.S. Case No. 194 of 2025 subject to the following conditions:-



(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document (Aadhar Card/Voter Id/Driving License/Pan Card) to show his/her bona fide;

(ii) the petitioner 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 bail bond by the Trial Court itself;

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

10. This Court would like to put on record its word of appreciation for Ms. Madhumala Kumari, learned counsel representing the petitioner for the proper assistance rendered in the matter.

(Rajiv Roy, J)

vinayak/-

U		T	
---	--	---	--

