

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66930 of 2025

Arising Out of PS. Case No.-154 Year-2025 Thana- ALAMNAGAR District- Madhepura

Ajay Sah @ Ajay Kumar Son of Sulo Sah @ Surendra Sah Resident of
Village - Bagraha, Ward no. 5, P.S. - Alamnagar, District - Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uday Chand Prasad, Adv.

Mr. Manoj Kumar, Adv.

Ms. Pooja Prasad, Adv.

For the Opposite Party/s : Mr. Satyendra Narain Singh, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR

ORAL ORDER

4 21-01-2026 Heard Ms. Pooja Prasad, learned Advocate for the

petitioner and Mr. Satyendra Narain Singh, learned Additional

Public Prosecutor for the State.

2. The petitioner apprehends his arrest in connection
with Alamnagar P.S. Case No. 154 of 2025, registered for the
offences punishable under Sections 137(2), 140(3), 96, 3(5) of
the BNS.

3. Allegedly, in the morning of the fateful day, while
the informant's daughter was going for tuition, in the
meanwhile, all the FIR named accused persons, including the
petitioner along with three unknown persons came on a four-
wheeler vehicle. All the accused persons forcibly kidnapped her
and got her seated on the said vehicle on the point of pistol and
manged to flee away. During the course of search, the informant
came to know that after kidnapping, his daughter was kept in the
house of this petitioner and thereafter she was taken away on



different places.

4. Learned Advocate for the petitioner referring to the FIR contended that surprisingly the alleged occurrence took place on 08.05.2025 but the FIR came to be instituted on 12.05.2025. Had the informant known this fact that his daughter was kidnapped by the nine named accused persons and three unknown persons, he would have certainly lodged the FIR immediately after occurrence on 08.05.2025 itself but the same has not been done. The petitioner is also the resident of the same place and, as such, if the victim girl was kidnapped and kept in his house, the neighbours or the informant should have informed to the police but this has also not been done. In fact, on account of suspicion, the name of the petitioner has been implicated in this case by making some specific accusation of keeping the girl in his house. During the course of investigation, no cogent material has come which suggests the aforesaid facts and the investigation regarding complicity of the petitioner is still going on. The petitioner undertakes that he will fully cooperate in the investigation and the proceeding of the court as the whereabouts of the victim could not be traced out.

5. On the other hand, learned Advocate for the State vehemently opposed the bail application and submitted that



apart from the specific accusation of kidnapping, the victim girl is still traceless and, as such, the petitioner does not deserve the privilege of anticipatory bail.

6. Having considered the submissions advanced by the learned Advocates for the respective parties and taking note of the delay in institution of the FIR, coupled with the omnibus allegation of kidnapping, besides the fair antecedent of the petitioner and his undertaking that he will cooperate in the investigation, let the petitioner abovenamed be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Uda Kishunganj, Madhepura in connection with Alamnagar P.S. Case No. 154 of 2025, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023, with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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