

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79782 of 2025

Arising Out of PS. Case No.-311 Year-2025 Thana- BIRAUL District- Darbhanga

1. Sajjan Sharma S/O Ram Narayan Sharma R/O Village- Bakhmandal, P.O- Bakhmandal, P.S- Baheri, Distt.- Darbhanga, 847105.
2. Chulindar Sharma @ Sulindar Sharma @ Surender Sharma S/O Ravi Sharma R/O Ward No.-10, Village- Bandihuli, P.O- Arga, P.S- Baheri, Distt.- Darbhanga, 847105.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Piyush Kumar, Advocate

For the Opposite Party/s : Mr. Anish Chandra, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

3 11-02-2026 Heard learned counsel for the petitioners, learned APP for the State and perused the case diary.

2. The petitioners seek bail in connection with Biraul P.S. Case No. 311 of 2025, instituted for the offences punishable under Sections 137(2) and 96 of the Bharatiya Nyaya Sanhita, 2023.

3. The prosecution case, in short, is that daughter of the informant went to school and did not return. It is further alleged that later on the informant got an information that his daughter has been kidnapped.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. Charge-sheet has been submitted in this case.



Learned counsel for the petitioners also submitted that the petitioners are not named in the FIR. Name of these petitioners have transpired in this case during investigation. It is next submitted that there is delay of 17 days in lodging the FIR. It is submitted that the victim and petitioner no. 1 were in relationship which clearly demonstrates that the victim had voluntarily gone with him on her own will. It is further submitted that the petitioners have not committed any offence as alleged in the FIR. The petitioners are in custody since 17.09.2025 and have got no criminal antecedent.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioners and has submitted that there is specific allegation against the petitioners and other co-accused person of kidnapping the victim. It is further submitted that the victim has levelled specific allegation against the petitioners and other co-accused person in her statement recorded under Section 183 of the Bharatiya Nagarik Suraksha Sanhita, 2023 and she has also stated that they had kidnapped her with an intention to sell her. It has also been stated by the victim in her statement that the accused persons had done the same thing with three other girls. Hence, the petitioners do not deserve the privilege of bail.



6. Considering the aforesaid facts and circumstances of the case, nature of accusation and the gravity of the offence, this Court is not inclined to grant bail to the petitioners.

7. The prayer is rejected. The trial Court is directed to expedite the Trial.

(Rudra Prakash Mishra, J)

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