

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83152 of 2025

Arising Out of PS. Case No.-334 Year-2024 Thana- MAHUA District- Vaishali

Rocky Kumar S/o Mukesh Kumar Singh R/o Village - Bilandpur, P.S. -
Mahua, District - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Rajesh Kumar, Advocate
For the Informant	:	Mr. Sachin Kumar, Advocate
		Mr. Rajiv Ranjan, Advocate
For the State	:	Mr.Madan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

5 07-04-2026 Heard learned counsel for the petitioner; learned APP
for the State and learned counsel for the informant.

2. The petitioner seeks bail in connection with Mahua
P.S. Case No. 334 of 2024 registered for the offence punishable
under Sections 304(B), 201 and 120(B) of the Indian Penal
Code.

3. The prosecution arises out of a complaint case filed
by the step-mother of the alleged victim Chandni Kumari. It is
alleged by the step-mother that Chandni Kumari has been killed
by the petitioner and she has left behind two children.

4. The petitioner is in custody since 27.09.2025.

5. Learned counsel for the petitioner submits that
Chandni Kumari was in a relationship with two persons namely,



Sundar Kumar Rai and Kundan Kumar and she was talking to them on mobile and one day, she left the house along with Rs. 33,100/- leaving behind two children. The petitioner filed Mahua P.S. Case No. 710 of 2023 on 02.11.2023. The case is still under investigation as Chandni Kumar has not been recovered. After 40 days of disappearance of Chandni Kumari, the present complaint case was filed which has been referred under Section 156(3) of the Cr. P.C. for registration of FIR.

6. Learned counsel for the informant has vehemently opposed the prayer for bail and has submitted that it is the petitioner, who is the husband of the victim and is involved in killing the deceased.

7. I have considered the submissions of the parties.

8. The FIR registered by the petitioner is still under investigation. Chandni Kumari has not been recovered and for disappearance of Chandni Kumari, the present complaint was filed which has been registered as an FIR.

9. In my opinion, untill and unless the whereabouts of Chandni Kumari are found out, the petitioner cannot be kept in judicial custody for indefinite period who has to look after the two children also.

10. In these circumstance, this application is allowed.



11. Let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-IV, Vaishali at Hajipur in connection with Mahua P.S. Case No. 334 of 2024.

12. The Superintendent of Police, Vaishali is directed to take all steps for recovery of the victim i.e., Chandni Kumari so that the truth comes out.

13. It is, however, clarified that the observations made herein are limited to the adjudication of the present bail application and shall not prejudice the case of the petitioner at any subsequent stage of the trial and this Court has not express any opinion on the merits of the case.

14. Let a copy of this order be communicated to the Superintendent Police, Vaishali through FAX or e-mail for its compliance.

(Sandeep Kumar, J)

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