

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87177 of 2025

Arising Out of PS. Case No.-103 Year-2025 Thana- BAJPATTI District- Sitamarhi

Rohit Kumar S/o Dinesh Das R/o Village- Pupari, P.S- Pupari, Dist- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Saumya Singh, Advocate

For the Opposite Party/s : Mrs. Suman Kumari Singh, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 11-02-2026 Heard Ms. Saumya Singh, learned counsel for the petitioner and Mr. Suman Kumari Singh, learned APP for the State.

2. The petitioner has prayed for bail in connection with Bajpatti P.S. Case No. 103 of 2025 registered for the offence punishable under Sections 87, 352, 351(2) and 3(5) of the B.N.S., 2023.

3. The case of the prosecution in short is that the minor daughter of the informant has gone to school and when she did not return for a considerable time, she was being searched. The informant came to know that Rahul Kumar, along with his family members, have kidnapped the minor daughter of the informant, and she was taken on a four-wheeler.

4. Learned counsel appearing on behalf of the



petitioner has submitted that petitioner is innocent and has committed no offence. He has been falsely implicated in this case. He also submits that the name of this petitioner is not there in the FIR. His name surfaced during the course of investigation in para-152 of the case diary, wherein one witness namely, Kishori Das, has stated that the petitioner was also involved in kidnapping the minor daughter of the informant. He also submits that suddenly on 07.10.2025, the name of this petitioner surfaced during the investigation, not on the statement of any family member of the victim but rather on the statement of co-villager. He further submits that a statement has been made in para 3 of the petition that petitioner has no criminal antecedent. Petitioner is a student and has been languishing in judicial custody since 30.10.2025.

5. From perusal of the entire file, it appears that in this case, the victim has not yet been recovered. During the course of the hearing, this Court was informed that the victim is residing with co-accused namely, Rahul. As the statement of the victim was not recorded, the Superintendent of Police, Sitamarhi, was directed to take steps for recording the statement of the victim and recovering her.

6. The Superintendent of Police, Sitamarhi, has filed a



detailed report in which he has only concise the case diary and has made a index of the diary, which is of no avail. From his entire report, it does not appear as to what steps have been taken for recovering the victim; rather, it suggests that he is only following the work already done by the Investigating Officer (I.O.). It seems that the I.O. and the S.P., Sitamarhi, are unknown to the facts and gravity of the case i.e., why they have not taken any steps for recovering the victim. Both have made an attempt to pat their back themselves. It seems that both of them need proper training.

7. In any view of the matter, the role of this petitioner was disclosed only at a belated stage and that too not by any family member of the victim but by a co-villager.

8. The application for bail is opposed by learned APP for the State.

9. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Pupari, Sitamarhi in connection with



Bajpatti P.S. Case No. 103 of 2025.

(Ashok Kumar Pandey, J)

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