

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.92020 of 2025

Arising Out of PS. Case No.-11 Year-2025 Thana- Kotwali District- Darbhanga

Bijendra Roy S/O Rambadan Roy Resident of Village- Amrauti, Police
Station- Khanpur, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nilendu Kumar Choudhary, Advocate

For the Opposite Party/s : Mr. Shahabuddin Azeem @ S. Azeem, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 11-03-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 87/127(4)/308(3)/303(2)/115(2)/351(2)/3(5) of BNS.

3. The case of the prosecution is that the petitioner has abducted the wife of the informant for the purposes of establishing illicit relationship. When the informant complained this to parents of the petitioner, he was being assaulted. When the petitioner was called, he demanded Rs. 15 lakhs in ransom. It is alleged that the wife of the informant was taken by the petitioner on 30.11.2024. It is further alleged that the petitioner has taken Rs. 5 lakhs cash from the house of the informant along with ornaments which the informant had collected for the



marriage of his daughter.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Learned counsel for the petitioner has submitted that as per FIR, the date of occurrence is 30.11.2024 whereas the FIR was lodged on 22.01.2025 after the delay of fifty two days and explaining this delay, the informant has stated that he was searching his wife and due to which, delay has been caused in filing of this case. Learned counsel has submitted that the real fact is that the petitioner is having extra marital relationship with the wife of informant and that they were together from the last six months. It has further been submitted that during course of investigation, it has come specifically in para-47 of the diary that the deceased has called 642 times on the mobile of this petitioner. He has further submitted that this goes to show that it was not the petitioner who has abducted the wife of the informant. He has further submitted that the deceased was admitted in Rathi Hospital where she died. After that, her dead body was cremated by the petitioner and all the rituals were performed by him. From perusal of the diary, it will also transpire that he has disclosed himself before the hospital and others as the husband of the deceased. He has submitted that there was extra marital



relationship of this petitioner with the deceased which is apparent even from the statement of wife of this petitioner and that the deceased has died due to illness otherwise he would have not been permitted to cremate the body of the deceased by the police without filing an FIR. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 25.04.2025.

5. Learned APP appearing for the State has vehemently opposed the prayer of regular bail.

6. 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 released on bail in connection with Kotwali P.S. Case No. 11 of 2025 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned District and Additional Sessions Judge-VII, Darbhanga.

(Ashok Kumar Pandey, J)

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