

In the Court of Sessions Judge, Supaul

B.A.-105/2026

(Arising out of Supaul PS Case No:-601/2025)

	<p>Rajo Devi, W/o- Ranjeet Kumar Mandal, R/o- Belwa, Ward No.03, PS- Nauhatta, District-Saharsa;</p> <p style="text-align: right;">.....Accused/Petitioner</p> <p style="text-align: center;">Vs.</p> <p>State of Bihar</p> <p style="text-align: right;">.....O.P.</p>	
<u>10/03/26</u>	<p>Ld. Free Legal Aid Counsel for petitioner Sri. Saurabh Mohan Thakur, Advocate.</p> <p>Ld. PP Sri. J.N.Pandey, for the State.</p> <p>By this order we are going to dispose off the bail application filed on behalf of accused/ petitioner, namely Rajo Devi, who is in judicial custody since 13.12.2025 in connection with Supaul P.S. Case No.601/2025, u/s- 137(2), 140(3),3(5) of B.N.S.</p> <p>Ld. counsel for the accused/ petitioner submitted that accused/ petitioner is quite innocent and has committed no crime and she has falsely been implicated in this case due to dirty village politics. He further submitted that accused/ petitioner is not involved in any other case and having the clean antecedent. He further submitted that the offence as alleged in FIR is not applicable against the accused/ petitioner. It is also submitted that accused/ petitioner is in judicial custody since 13.12.2025 and no useful purpose would be served by keeping the accused/ petitioner behind the bar.</p> <p>Ld. PP for the State strongly opposed the prayer of bail application.</p> <p>In brief, the prosecution story is that on dated 07.12.2025 the informant Devendra Prasad Mandal has admitted his newly born baby in Sadar Hospital, Supaul in SNCU Ward and the said minor child was under the supervision of incharge of SNCU. The informant further alleged that on 10.12.2025 at about 02:00 P.M., his newly born baby was missing from SNCU Ward. However, the said baby was present or available in the said ward up to 10:00 A.M and the informant has expressed apprehension that someone has kidnapped his newly born bay for the purpose of selling. On the basis of the above-said written statement of the informant, the FIR was registered against the unknown person.</p> <p>Argument heard from both sides and perused the lower court record as well as case diary. Admittedly, this accused/ petitioner is in judicial custody since 13.12.2025. On going through the case diary, it transpires that the I.O has also recorded the statement of the witnesses namely Sita Devi, Bijali Devi and Ramudagar Mandal. As per para No.9 of the case diary, the I.O also examined the CCTV footage of the hospital and as per the said CCTV footage on 10.12.2025 at about 11:25 A.M., one lady wearing a red colour Sari entered into the SNCU Ward and at about 11:26 A.M., she came out from the ward and keeping a child under her shawl. The police on that basis further investigated the case and as per para No.20 and 21 of the case diary, it was found that the said lady was sitting on a CT-</p>	Contd.

In the Court of Sessions Judge, Supaul

B.A.-105/2026

(Arising out of Supaul PS Case No:-601/2025)

Contd...
10/03/26

Rickshaw out side the hospital gate and gone towards Hussain Chowk side. Thereafter, as per para No.23 and 24 of the case diary, the I.O also interrogated the owner of the CT-Rickshaw namely Dilkhush Kumar and he identified such lady and stated to the police that he has left such lady near Balwa Chowk. Thereafter, as per para No.28 of the case dairy from the CCTV footage of Lohiya Construction Company such lady was seen at about 12:12 noon. On the same day and on the pointing of the driver of CT-Rickshaw namely Pintu Kumar, the accused/ petitioner Rajo Devi was apprehended by the police from Balwa, Ward No.03, PS- Nauhatta, District- Saharsa and the newly born baby of the informant was also recovered from her possession. The police has also recorded the statement of Devendra Prasad Mandal. As per para No.36 of the case diary, the police has also recorded the confessional statement of the accused/ petitioner Rajo Devi. On minute scrutiny of the entire record, it transpires that though the intention of the accused/ petitioner was not to extend any harm to the newly born baby and she tried to nurture the child as her own mother, but taking away a minor child from the custody of her biological mother is not a simple offence. The offence under which the FIR was registered is punishable for less than 7 years. The investigation of this case is complete and the charge-sheet against this accused/ petitioner has already been filed by the police. The accused/ petitioner is in judicial custody since 13.12.2025 and no useful purpose would be served by keeping the accused/ petitioner behind the bar.

Keeping in mind all these facts and circumstances especially the period of custody and completion of investigation, I find that accused/ petitioner is entitled to be enlarged on bail. Therefore, the bail application, filed on behalf of accused/ petitioner, namely Rajo Devi stands **Allowed** on furnishing bail bond of Rs.20,000/- with two sureties of the like amount each to the satisfaction of the Court and one of the bailor must be family member or close relative **and the bail bond shall be accepted after framing of charge, so that the trial should not be hampered.**

Dictated
-Sd-
(Anant Singh)
Sessions Judge, Supaul