

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.12591 of 2024**

Arising Out of PS. Case No.-447 Year-2023 Thana- MALSALAMI District- Patna

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Anil Kumar Yadav S/o Ram Ji Yadav Resident of village Dharhra,  
Choubeypur, PS Choubeypur, Distt. - Varanasi, U.P

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Nirbhay Prashant, Adv.

For the Opposite Party/s : Mr.Rabindra Kumar, APP

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH  
SINGH**

ORAL ORDER

5      22-07-2024                      Heard learned counsel for the petitioner and learned  
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Malsalami P.S. Case No. 447 of 2023 dated 22.06.2023 registered for the offences punishable u/s 364 of the Indian Penal Code.

3. As per the prosecution case, on 16.06.2023, the informant's husband called the informant to deposit Rs. 1,00,000/- urgently in A/c No. 38112408659 of S.B.I. registered in the name of Hanumant Kripa Traders. The informant further stated that she received information through SMS on 17.06.2023 that her husband was kidnapped by the petitioner along with their family members. After some time, a ransom of Rs.



19,50,000/- was demanded from the phone number of the informant's husband. Thereafter, the informant arranged the money by mortgaging her jewellery and house and transferred all the money through UPI.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is further submitted that the alleged occurrence is of 17.06.2023 and after transferring all the money, the present F.I.R. was lodged on 22.06.2023 and the informant's husband was rescued from the so-called kidnappers on 23.06.2023 which showed a well planned conspiracy to implicate the petitioner. The present dispute is related to business dispute between the informant's husband and the brother-in-law of the petitioner and the petitioner has no concern with the alleged offence. During the investigation, it was found that the victim and the accused persons were known to each other and no evidence of kidnapping for ransom was found and therefore the investigating agency filed a charge sheet against the petitioner under Sections 341, 342, 323, 325, 365, 386, 34 of the Indian Penal Code vide the Charge-sheet No. 764/23 dated 12.09.2023. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 24.06.2023.



5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Patna City, Patna in connection with Malsalami P.S. Case No. 447 of 2023 with the condition :-

*(i) The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.*

7. The application stands allowed.

**(Chandra Prakash Singh, J)**

Gautam/-

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