

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50847 of 2024

Arising Out of PS. Case No.-326 Year-2022 Thana- KHODAWANDPUR District- Begusarai

Ramnath Yadav @ Ramnath Kumar, S/O Khakhan Yadav, Resident Of Ward
No. 01, Village- Dhattha, Police Station- Rosera, District- Samastipur.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Kundan Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 20-09-2024 Heard learned counsel appearing on behalf of the
petitioner and learned A.P.P. for the State.

2. Petitioner seeks bail in connection with
Khodawandpur P.S. Case No. 326 of 2022 registered for the
offences under Sections 363 and 365 of the Indian Penal
Code.

3. The petitioner is not named in the First
Information Report and is in custody since 30.12.2023.

4. Allegation against the petitioner is to kidnap the
son of informant alongwith co-accused person, who is none but
the wife of the son of informant, where son of informant is still
traceless.

5. It is submitted by learned counsel appearing on
behalf of the petitioner that petitioner falsely implicated with



the present case, where the thrust of allegation is available against co-accused Rita Devi. It is submitted that as he found in mobile conversation with co-accused Rita Devi on certain occasion as per Call Detail Report, on the basis of such suspicion he was implicated with present case. It is submitted that the name of petitioner, first time, surfaced out of confessional statement of co-accused Rita Devi and also thereafter her self-inculpatory statement was recorded, where in furtherance of no incriminating material recovered/surfaced as to connect him *prima-facie* with present occurrence of kidnapping.

6. It is submitted that co-accused Rita Devi, who is wife of the son of informant also lodged a complaint case against the informant of this case, which has been registered as Complaint Case No. 173/2022 and for that reason only the present false implication was raised. While concluding argument, it is submitted that investigation of this case is completed for which charge-sheet has been submitted and as such, there is no chance of tampering with the evidence. Petitioner claimed to be a man of clean antecedent.

7. Learned A.P.P. for the State has opposed the



prayer for bail of the petitioner.

8. In view of aforesaid factual submission and by taking note of the fact that save and except suspicion arising out of confessional statement of co-accused, nothing incriminating material recovered/surfaced during course of investigation as to connect the petitioner *prima-facie* with the present occurrence, coupled with the fact that investigation of this case is completed, where petitioner is in custody since 30.12.2023, accordingly, above-named petitioner is directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Manjhaul, District – Begusarai/concerned court, in connection with Khodawandpur P.S. Case No. 326 of 2022, subject to the condition as laid down under Section 437(3) Cr.P.C/Section 480(3) of the Bhartiya Nyaya Suraksha Sanhita (in short “B.N.S.S.”).

(Chandra Shekhar Jha, J.)

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