

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1101 of 2025

Arising Out of PS. Case No.-468 Year-2024 Thana- SAUR BAZAR District- Saharsa

Balajee Kumar S/o Manoj Kumar Yadav @ Manoj Yadav R/o Village-Forsaha
,P.O.- Suhath, Ward No.-13 Sour Bazar, District-Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Shankar Shrivastava, Adv

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

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

ORAL ORDER

2 24-02-2025 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 Saur Bazar P.S. Case No. 468 of 2024 dated 28.08.2024 registered for the offences punishable u/s 126(2), 115(2), 137(2), 140(2), 140(3), 309(4), 351(3) read with section 3(5) of the Bhartiya Nyaya Sanhita, 2023.

3. As per the prosecution case, on 27.08.2024 at about 10:00 P.M., the informant along with his two friends namely *Chotu Kumar* and *Kush Kumar* was returning from Saharsa to his maternal grand mother's home on Apachi Motorcycle bearing Registration No. BR-34U5843, in the meantime, five-



six miscreants came by four wheeler bearing Registration No. BR11BA-1006 and they forcefully made them sit in the said vehicle and took them near river and started assaulting the informant and his friends and snatched their mobile phones and motorcycle. Further, all the miscreants are alleged to have kidnapped the informant and his friends and confined them in the house of the co-accused *Santosh Kumar* and demanded ransom amount of Rs. 1,00,000/- from each.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner has no concern with the alleged occurrence. It is further submitted that the petitioner has not participated in the commission of kidnapping of the victim boys and demanding ransom amount of Rs. 1,00,000/- from each. It is further submitted that the petitioner himself did not keep the victim in his house rather the victims were confined in the house of the co-accused *Santosh Kumar*. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 29.08.2024.

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 and the nature of allegation levelled against the petitioner 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, Saharsa in connection with Saur Bazar P.S. Case No. 468 of 2024, with a condition/s:-

(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)

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