

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8417 of 2025

Arising Out of PS. Case No.-913 Year-2024 Thana- GAYA MUFASIL District- Gaya

Neeraj Kumar @ Samrat @ Niraj Kumar @ Samrat @ Neeraj @ Samrat, Son
of Chando Yadav, Resident of Village - Salempur, P.S. - Muffasil, District –
Gaya Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 06-03-2025 Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

2. The accused/petitioner is named in the FIR and apprehending his arrest in connection with Muffasil P.S. Case No.913 of 2024 registered under Sections 308 (5) and 111 of the Bhartiya Nyaya Sanhita, 2023 (in short 'B.N.S.').

3. Allegation against the petitioner is to ask for ransom of Rs.20,000/- and as such, snatched Rs. 10,000/- from the pocket of informant during the occurrence. It is alleged that motorcycle of informant bearing Registration No.BR02BM-3321 was also taken away by the accused/petitioner.

4. It is submitted by learned counsel appearing for



petitioner that the implication appears due to local disputes and differences. It is submitted that from the narration of FIR itself, it cannot be said that Rs. 10,000/- was given as ransom by informant to the accused/petitioner. It is submitted that paying something immediately on threat or snatching something, both makes *prima facie* a distinct offence. It is further pointed out by learned counsel that the vehicle, which alleged to be taken away by the petitioner was found abandoned on road. While concluding argument, it is submitted that the matter appears compromised between the parties for which the petitioner filed a petition before the learned Chief Judicial Magistrate, Gaya by making his statement rebutting the allegation as raised earlier through this FIR.

5. Learned APP opposed the prayer of bail with submission that the offence alleged not appears compoundable in nature.

6. In view of aforesaid factual submission and by taking note of fact as the motorcycle, which alleged to be taken away by this petitioner found abandoned on road,



which is an open place, where *prima facie* no amount appears to be paid as ransom, accordingly, the petitioner, above-named, is directed to be released on bail, in the event of his arrest or surrender in the court below within a period of four weeks, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Gaya in connection with Muffasil P.S. Case No.913 of 2024, subject to the conditions as laid down under Section 438(2) of the CrPC/under Section 482(2) of the BNSS and with further conditions:-

(i) That petitioner shall not indulge in similar nature of case till the conclusion of trial, failing which the State shall be at liberty to move before the Trial Court itself for the cancellation of bail bond of the petitioner.

(ii) That petitioner shall co-operate in investigation and also in the trial failing which, the State may move for cancellation of bail of petitioner before learned trial court itself.

(Chandra Shekhar Jha, J.)

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