

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12811 of 2025

Arising Out of PS. Case No.-288 Year-2024 Thana- BELDOUR District- Khagaria

Shankar Sada @ Shankar Raj Son of Prakash Sada, Resident of Village -
Naradpur, P.O. - Dumari, Ward No.4, P.S. - Beldour, District – Khagaria.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vivekanand Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

5 07-08-2025 Heard learned counsel appearing on behalf of the

petitioner and learned APP appearing on behalf of the State.

2. The petitioner seeks bail in connection with Beldaur
P.S. Case No. 288 of 2024, registered for the offence under
Sections 96, 352, 351(2), 351(3), 3(5) of the Bhariya Nyaya
Sanhita.

3. The accused/petitioner is named in the F.I.R. and is
in custody since 04.09.2024.

4. The allegation against the petitioner is to kidnap the
minor daughter of the informant, aged about 12 years alongwith
other co-accused persons.

5. Learned Counsel appearing on behalf of the petitioner
submitted that the minor daughter of the informant was in love
affairs with one Chandan Sada, against whom the thrust of
allegation is available. It is pointed out that admittedly, the



informant is not the eye-witness of the occurrence. It is submitted that out of local disputes and differences as a matter of an afterthought, the informant implicated this petitioner as being a co-villager of Chandan Sada, as he was in friendly terms with that family. It is pointed out that other family members of Chandan Sada were also implicated. It is pointed out that during the course of the investigation also, none of the witnesses supported any involvement of this petitioner being co-villager. While concluding the argument, it is submitted that the petitioner found involved in one more criminal case, where he is on bail and, moreover, investigation of this case is already completed, as such, there is no chance of tampering with the evidence. However, he is fairly conceded that victim is yet to recover.

6. Learned APP opposed the prayer of bail.

7. Considering the aforesaid facts and circumstances as the thrust of allegation is available against co-accused Chandan Sada, where the informant *prima facie* not appears to be an eye-witness of the occurrence, coupled with the fact that implication of this petitioner *prima facie* due to a co-villager, where he remains in custody since 04.09.2024, accordingly, petitioner above named, is directed to be released on bail in connection with Beldaur P.S. Case No. 288 of 2024, on furnishing bail bond of



Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Khagaria/concerned Court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C./Section 480(3) of BNSS.

(Chandra Shekhar Jha, J)

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