

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16845 of 2025

Arising Out of PS. Case No.-364 Year-2023 Thana- GURUA District- Gaya

Kapil Yadav Son of Amak Yadav @ Ambika Yadav @ Amvika Yadav
Resident of Vilage- Lakhnaiti, P.S.- Sherghati, Distt.- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar Singh, Advocate

For the Opposite Party/s : Mr. Nagendra Prasad, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

4 24-06-2025 Heard learned counsel for the petitioner and learned
APP for the State. Perused the case diary.

2. The petitioner seeks bail in connection with Gurua
P.S. Case No. 364 of 2023 instituted for the offences under
Section 386 of the Indian Penal Code.

3. As per prosecution case, some unknown persons are
alleged to have demanded Rs. 2,00,000/- as ransom from the
informant and also threatened him.

4. Learned counsel for the petitioner submitted that the
petitioner is innocent and has falsely been implicated in the
present case. Petitioner is not named in the F.I.R. The name of
the petitioner transpired in this case on the basis of confessional
statement of the co-accused Binod Yadav and Suryadev Yadav.



Learned counsel further submitted that petitioner never demanded any ransom amount, nor any ransom amount was paid to any of the accused persons. Learned counsel further submitted that except confessional statement of the co-accused persons, there is no material on record to prove the involvement of the petitioner in the alleged offence. It has been submitted on behalf of the petitioner that the petitioner is in custody since 22.11.2024 and has three criminal antecedents. The co-accused persons have already been granted bail by a coordinate Bench of this Court vide order dated 20.12.2023 passed in Cr. Misc. No. 82445 of 2023 and Cr. Misc. No. 82578 of 2023.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail, ***after framing of charge, if not already framed***, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Gurua P.S. Case No. 364 of 2023, subject to the following conditions:



(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(III) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Rudra Prakash Mishra, J)

Alok Verma/-

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