

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20272 of 2025

Arising Out of PS. Case No.-535 Year-2024 Thana- BABUBARHI District- Madhubani

Tuntun Yadav @ Tuntun Kumar Yadav Son of Kapleshwar Yadav Resident of
Village - Baturi, P.S.- Pandaul, District - Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Kumari Pallavi, Advocate
For the Opposite Party/s : Ms. Anita Kumari, APP

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

ORAL ORDER

3 05-08-2025 Heard learned counsel for the petitioner and learned APP
for the State. Perused the case diary.

2. The petitioner seeks bail in connection with
Babubarhi P.S. Case No. 535 of 2024 instituted for the offence
under Sections 140(2) & 140(3) of the Bharatiya Nyaya Sanhita,
2023.

3. As per the prosecution case, the petitioner along
with other co-accused person is accused of kidnapping two
persons.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 16-12-2024. Petitioner
bears no criminal antecedent, as per disclosure made in
paragraph No. 3 of the bail application.



5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. Petitioner is not named in the FIR. Name of the petitioner has transpired on the basis of confessional statement of co-accused, namely, Bablu Yadav and the same has no evidentiary value in the eye of law. Admittedly, there is no transaction with regard to ransom made to the petitioner. Victim in his statement recorded under Section 183 of the BNSS, 2023, has not named the petitioner and there is no allegation against the petitioner in his statement. Other co-accused has been enlarged on bail by a Co-ordinate Bench of this Court vide order dated 16-04-2025, passed in Cr. Misc. No. 17258 of 2025.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. Charge sheet has already been submitted in this case.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner, claim based on parity and charge-sheet being submitted, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail 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 Babubarhi
P.S. Case No. 535 of 2024.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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