

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32554 of 2025

Arising Out of PS. Case No.-1025 Year-2024 Thana- AHIYAPUR District- Muzaffarpur

Rupesh Kumar Son of Raghunath Paswan Village- Basauli Himmat Singh PS-
Ahiyapur Dist -Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Dr. Ajeet Kumar, APP

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

ORAL ORDER

3 11-07-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Ahiyapur P.S. Case No. 1025 of 2024, S.Tr. No. 775 of 2024 instituted for the offences under Sections 137(2), 140(1), 3(5) of the BNS and later on, Section 103(1) of BNS was added.

3. Prosecution case, in short, is that, accused Munna Khan (ex-mukhiya), his sons Sahwaz and Sahnawaz along with 8-10 other accused persons kidnapped the elder brother of the informant. The informant feared that the accused persons would kill his brother.

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 Md. Sahil. Learned counsel further submitted that T.I.P. has not been conducted till date. Learned counsel further submitted that initially the FIR was lodged under Sections 137(2), 140(1), 3(5) of the BNS and later on, Section 103(1) of BNS was added. Learned counsel further submitted that police, after investigation submitted charge-sheet against the petitioner and cognizance has also been taken and trial is also going on and three witnesses have also been examined. It has been submitted on behalf of the petitioner that the petitioner is in custody since 02.08.2024 and has no criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. Learned APP further submitted that petitioner's name transpired in this case on the basis of disclosure made by co-accused Md. Sahil. On the basis of CDR and cell tower location, it has cropped up during investigation that the petitioner was present at the place of occurrence when the alleged occurrence took place. The prayer for grant of bail to co-accused persons has already been rejected by a coordinate Bench of this Court vide order dated



13.05.2025 passed in Cr. Misc. No. 19738 of 2025 and Cr. Misc. No. 10993 of 2025.

6. Considering the aforesaid facts and circumstances of the case as also the present stage of trial, this Court is not inclined to grant bail to the petitioner at this stage.

7. Accordingly, the prayer for grant of bail to the petitioner is, hereby, rejected.

8. Learned Trial Court is directed to expedite the trial.

(Rudra Prakash Mishra, J)

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