

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37745 of 2025

Arising Out of PS. Case No.-390 Year-2024 Thana- JANDAHA District- Vaishali

Shravan Kumar @ Shrvan Sahni S/O Jai Ram Sahani R/O Village- Dih
Buchauli, PS- Jandaha(Mahisaur), Distt-Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Tarkeshwar Nath Thakur, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 18-06-2025 Heard learned counsel for the petitioner and learned
APP for the State.

02. In the present case, the petitioner seeks bail in connection with Jandaha P.S. Case No. 390 of 2024 registered for the alleged offences under Sections 137(2)/140(3) of Bharatiya Nyaya Sanhita, 2023.

03. As per prosecution case, four years old son of the informant was went missing and name of petitioner transpired during investigation as the person who kidnapped the son of the informant for selling him to co-accused.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The petitioner has no role in the alleged occurrence and has been made accused on the basis of his confessional



statement, but the petitioner has not recorded any confession. The victim boy has been recovered from orphanage home. Though it is stated that the victim boy identified the petitioner and co-accused but he is merely a boy of 04 years and he could not communicate properly and it is not believable that the said body identified the petitioner as his kidnapper. Learned counsel further submits that in the facts and circumstances, no offence under Section 140(3) of BNS is made out and another section is bailable. Co-accused Maha Devi has been granted bail by a Co-ordinate Bench vide order dated 15.02.2025 passed in Criminal Misc. No. 2695 of 2025. The petitioner is having clean antecedent and he is in custody since 28.10.2024. Charge-sheet has been submitted.

05. Learned APP for the State opposes the prayer for bail. Learned APP submits that petitioner and co-accused Maha Devi were identified by the victim body who kidnapped him.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the period of custody of the petitioner along with submission of charge-sheet, the petitioner above named is directed to 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 learned Judicial Magistrate-1st Class, Vaishali at Hajipur in connection with Jandaha P.S. Case No. 390 of 2024, subject to the conditions mentioned in Section 480(3) of BNSS and the following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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