

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38528 of 2025

Arising Out of PS. Case No.-297 Year-2022 Thana- KATORIYA District- Banka

Ram Bilash Yadav @ Ram Bilash Kumar, S/o Nago Yadav Resident Of
Village- Bokanama, P.s -Katoriya, Dist- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Praveen Kumar, Adv.

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

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 03-09-2025 Heard learned Advocate for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection with Katoriya P.S. Case No.297 of 2022 registered for the offences punishable under Sections 364, 365/34 of the Indian Penal Code.

3. As per the written report, the son of the informant was found missing since 03.05.2022. Despite hectic search, the informant could not find his son and later on he came to know that co-accused Babita Pandey took his son to Patna as there was love affairs between them. The son of the informant used to talk with co-accused Babita Pandey; however, co-accused Babita Pandey returned to the village but the son of the informant did not return; whereupon the informant made a



query then she told that his son went to Deoghar and from there he did not come. Further suspicion has been raised that some of the villagers, including the petitioner were also involved in abducting the son of the informant.

4. Learned Advocate for the petitioner taking this Court through the FIR contended that the entire allegation revolves around co-accused Babita Pandey. However, later on only a suspicion has been raised against the petitioner and three others. Neither the son of the informant was lastly seen with the petitioner nor during the course of investigation any material has come, which suggests complicity of the petitioner in crime. It is further contended that the occurrence took place on 03.05.2022 but the FIR has been lodged on 05.08.2022 without there being any explanation for the inordinate delay. Since the Investigating Officer has never called upon the petitioner for interrogation; hence, the delay has occurred in approaching this Court. Moreover, the petitioner bears fair antecedent.

5. On the other hand, learned Advocate for the State submitted that serious suspicion has been raised against the petitioner of causing disappearance of the son of the informant along with others.

6. Having considered the submissions set forth by the



learned Advocate for the respective parties and taking note of the delay in lodging of the FIR, coupled with the materials collected during the course of investigation, which suggests no complicity of the petitioner in crime till date as also his fair antecedent, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka in connection with Katoriya P.S. Case No.297 of 2022, subject to the condition as laid down under Section 482(2) of the BNSS, with further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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