

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55503 of 2025

Arising Out of PS. Case No.-69 Year-2025 Thana- AIRPORT District- Patna

Manish Kumar, S/o Late Sukh Nandan Prasad, Resident of Mohalla-Saidpur,
Bikhna Pahari, P.S.- Kadamkuan, Dist.- Patna

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr. Yogesh Chandra Verma, Advocate Mr. Arvind Kumar Mouar, Advocate Mr. Raj Krishna Jha, Advocate
For the State	:	Mr. Ajit Kumar, APP
For the Informant	:	Mr. Aditya Prakash Sahay, Advocate Ms. Ankita Kumari, Advocate

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 13-10-2025 Heard Mr. Yogesh Chandra Verma, learned senior

counsel for the petitioner, Mr. Ajit Kumar, learned Additional

Public Prosecutor for the State and Mr. Aditya Prakash Sahay,

learned counsel appearing for the Informant.

2. The accused/petitioner seeks bail in connection

with Hawaii Adda P.S. Case No.69 of 2025 registered for the

offences punishable under Sections 137(2), 140(2) and 61(2)

of the Bhartiya Nyaya Sanhita, 2023 (for short 'B.N.S.').

3. The accused/petitioner is named in the FIR and

is in custody since 07.04.2025.

4. Allegation against the petitioner is to kidnap the

maternal uncle of the informant immediately after arrival at



Patna Airport on 05.04.2025 at about 8:30 am.

5. It is submitted by Mr. Yogesh Chandra Verma, learned senior counsel appearing for petitioner that the petitioner accompanied the maternal uncle of the informant at Patna Airport along with other accused persons only to attend a meeting related with financial dispute with his brother namely, Arun Kumar. It is submitted that the petitioner and the brother of victim were working partner of a film making company. It is submitted by Mr. Verma that from perusal of Annexure-P/2 and P/3, it can be gathered easily that several payments were made to this petitioner by brother of the informant and with said business dispute, the present false case was lodged. It is submitted that alleged kidnapping is not for ransom or for the murder, as after investigation, the charge-sheet was submitted for the offence punishable under Section 140(3) of the BNS, where the maximum sentence is of seven years.

6. Arguing further, it is submitted by learned senior counsel that investigation of this case is already completed, for which, charge-sheet has been submitted and, as such,



there is no chance of tampering with the evidence. It is pointed out that the petitioner found involved in one more criminal case, which alleged to be arising out of civil dispute, where he is on bail.

7. Learned APP opposed the prayer for grant of bail to the petitioner.

8. Mr. Aditya Prakash Sahay, learned counsel appearing for the informant while opposing the prayer of bail submitted that the petitioner is named in FIR for the reason that during course of kidnapping/abduction/unlawful confinement, the specific call was made by the petitioner demanding money. It is pointed out by Mr. Sahay that the victim categorically supported the occurrence while recording his statement under Section 183 of the Bhartiya Nagrik Suraksha Sanhita (for short 'BNSS') *qua* involvement of petitioner with present crime in question. However, he conceded that the petitioner was involved in business transaction with the brother of victim much prior to the occurrence.

9. In view of aforesaid factual submissions and by



taking note of fact as *prima facie* dispute appears to be arising out of business transaction, where parties are admittedly known to each other much prior to this occurrence, coupled with the fact that investigation of this case is already completed, where petitioner remains in custody since 07.04.2025, accordingly, the petitioner, above-named, is directed to be released on bail furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-IV, Patna in connection with Hawai Adda P.S. Case No.69 of 2025 subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure (for short 'CrPC')/under Section 480(3) of the BNSS and with further conditions:-

(i) That petitioner shall co-operate in the trial and shall be physically present on each and every date before the Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the Trial Court only on medical ground of the petitioner duly supported by the documents.



(ii) That the petitioner shall not make any deliberate attempt to delay the trial, failing which, the prosecution/State shall be at liberty to press a petition before the learned trial court itself for cancellation of bail bonds of the petitioner.

(iii) That petitioner shall not involve in similar nature of criminal case till the conclusion of trial, failing which the State shall be at liberty to move before the Trial Court itself for the cancellation of bail bond of the petitioner.

(Chandra Shekhar Jha, J.)

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