

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57572 of 2025

Arising Out of PS. Case No.-63 Year-2024 Thana- RAMNAGAR District- West Champaran

Shambhu Sah, S/o Late Vindeshwary Sah, Resident of Village - Beli Balwa,
P.S. - Ram Nagar, District-West Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Prithvi Nath Mishra, Advocate

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

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 12-12-2025 Heard learned counsel for the petitioner and

learned Additional Public Prosecutor for the State duly

assisted by learned counsel for the informant.

2.The accused/petitioner seeks bail in connection

with Sessions Trial No.416 of 2025 arising out of Ram Nagar

P.S. Case No.63 of 2024 registered for the offences

punishable under Sections 363, 364-A, 365 and 120-B read

with 34 of the Indian Penal Code (in short 'IPC').

3. The accused/petitioner is not named in the FIR

and is in custody since 16.04.2025.

4. As per FIR, some named and unknown co-

accused persons kidnapped the minor son of the informant,

who is still traceless.



5. It is submitted by learned counsel appearing for petitioner that name of petitioner transpired during course of investigation on the basis of confessional statement of apprehended co-accused namely, Mahadev Yadav and Kishore Yadav, who were found last seen with victim son of informant. It is submitted that this petitioner implicated only for the reason that on the last occasion the co-accused Mahadev Yadav purchased sweet from shop of the petitioner and at that point of time, the victim was with him. While concluding argument, it is submitted 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. The petitioner claimed clean antecedent.

6. Learned APP duly assisted by learned counsel appearing for informant while opposing the prayer of bail submitted that this petitioner specifically demanded ransom of Rs.1 lakh under assurance that his son will return to him.

7. Taking note of aforesaid submission, it is submitted by learned counsel for the petitioner that the language in which the demand was made is not amounting to



ransom rather it is the expenditure incurred in searching of missing boy of the informant.

8. In view of aforesaid factual submissions and by taking note of fact as mere on the basis of confessional statement, the name of this petitioner surfaced in this case, where *prima facie* nothing incriminating appears during investigation as to suggest involvement of this petitioner with present crime in question, coupled with the fact that investigation of this case is already completed, where petitioner remains in custody since 16.04.2025, 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 Additional Sessions Judge-I, Bagaha, West Champaran/concerned court in connection with Sessions Trial No.416 of 2025 arising out of Ram Nagar P.S. Case No.63 of 2024, 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 Bhartiya Nagrik Suraksha Sanhita (for short '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 before the learned trial court itself for cancellation of bail bonds of the petitioner, which be considered after giving opportunity of hearing to the petitioner.

(Chandra Shekhar Jha, J.)

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