

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61457 of 2025

Arising Out of PS. Case No.-233 Year-2022 Thana- BELDOUR District- Khagaria

1. Prince Kumar Son of Pawan Yadav @ Pavan Yadav Resident of Village -Pachath Ward No 9 Panchayat Beletha PS- Beldaur District- Khagaria
2. Simphal Kumar son of Kokan Yadav Resident of Village -Pachath Ward No 9 Panchayat Beletha PS- Beldaur District- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rahul Singh, Adv

For the Opposite Party/s : Mr.Umanath Mishra, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 18-11-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners have preferred this application for grant of regular bail in connection with S.T. Case No. 449/2024 arising out of Beldour P.S. Case No. 233 of 2022 dated 15.11.2022 registered for the offences punishable under Sections 363 and 365 of the I.P.C.

3. As per the prosecution case, on 09.11.2022 at about 6.00 P.M., the petitioners and the other co-accused persons are alleged to have kidnapped the minor son of the informant.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been



implicated in this case. Nothing has been recovered from the possession of the petitioners. The occurrence took place on 09.11.2022 but the FIR was lodged after lapse of six days and there is no explanation for this delay. There is no specific allegation against the petitioners. It is submitted that the informant is not the eye witness to the alleged occurrence. The petitioners have been made accused in the present case only on the basis of suspicion. The petitioner no. 1 has one criminal antecedent whereas the petitioner no. 2 has clean antecedent as stated in para 3 of the bail petition. The petitioner no. 1 is in custody since 01.11.2023 and the petitioner no. 2 is in custody since 11.12.2023.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioners by submitting that the the victim is still traceless who is aged about 11 years. The regular bail of the petitioners have been rejected by this court vide order dated 26.09.2024 and 03.10.2024 passed in Cr. Misc. No. 54812 of 2024 and 58112 of 2024 respectively.

6. Considering the aforesaid facts and circumstances of the case as well as the heinous nature of allegation against the petitioners, this Court is not inclined to grant bail to the petitioners and the same is rejected in connection with S.T. Case



No. 449/2024 arising out of Beldour P.S. Case No. 233 of 2022,
pending in the court of learned Additional Sessions Judge-III,
Khagaria.

7. This application is rejected and the learned court
below is directed to conclude the trial of the petitioners at the
earliest.

(Chandra Prakash Singh, J)

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