

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66321 of 2024

Arising out of PS. Case No.-182 Year-2024 Thana- SAHARSA SADAR District- Saharsa

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Anjani Kumar @ Anjani Raja, Son of Ravindra Yadav, R/o Barsam, P.S.- Bas-
nahi, District- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Sharda Nand Mishra, Advocate
		Mr. Dhandev Kumar, Advocate
		Mr. Sumit Kumar Gupta, Advocate
For the Opposite Party/s:		Mr. Satyendra Narayan Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

7 29-04-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the state.

2. The petitioner seeks bail in connection with Sa-
harsa P.S. Case No. 182 of 2024 instituted for the offences under
Section 364A/34 of the Indian Penal Code.

3. The prosecution case is to the effect that one
Shyokaran was working in brick industry at Suratgarh in the
state of Rajasthan where Santosh Kumar @ Manish Kumar was
also working for making bricks. It was further alleged that the
said Santosh Kumar @ Manish Kumar kidnapped the nephew of
the informant and has demanded rupees one lakh otherwise he
would be eliminated. The informant has named four persons in-
cluding the petitioner to be involved in the alleged kidnapping
of his nephew who were said to have been apprehended from



the maize field. The said apprehended persons including the petitioner had disclosed that the person who had fled away was Santosh Kumar @ Manish Kumar.

4. It is submitted by learned counsel for the petitioner that the petitioner has falsely been made an accused in the present case and there is no specific allegation against him while the entire FIR points out that it was Santosh Kumar @ Manish Kumar who was instrumental in the said incident. It is further submitted by learned counsel for the petitioner that there is no specific allegation upon the petitioner to have demanded ransom and there is general and omnibus allegation against all the named accused persons. Learned counsel for the petitioner has drawn attention of this Court towards the statement recorded under Section 164 Cr.P.C. of the victim who had not made allegation against the petitioner and has alleged against Santosh Kumar @ Manish Kumar. It is also submitted by learned counsel for the petitioner that no Test Identification Parade has been held till date. It is next submitted by learned counsel for the petitioner that charge-sheet has already been submitted. It is lastly submitted by learned counsel for the petitioner that the petitioner is having clean antecedent and is languishing in jail since 27.02.2024.



5. Learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner and has submitted that petitioner is one of the gang members who had kidnapped the nephew of the informant.

6. Considering the aforesaid submissions of respective counsels and taking into account that there is nothing specific against the petitioner as also the fact that the petitioner is in custody since 27.02.2024, i.e., more than one year and three months and also the fact that the victim has not alleged anything against the petitioner, the petitioner above named, is directed to be released on bail on furnishing bail-bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Saharsa in connection with Saharsa P.S. Case No. 182 of 2024, subject to the 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, if so required by the learned Trial Court.

(iii) In case of absence on two con-



secutive dates or in violation of the terms of the
bail, the bail bond of the petitioner will be liable
to be canceled by the Court concerned.

(Sourendra Pandey, J)

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