

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62641 of 2025

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

Bablu Giri, S/o Birendra Giri, R/o Village-Bhojpur, P.S.-Sarai Ranjan,
District- Samastipur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Ajay Mukherjee, Advocate
For the State	:	Md. Fahimuddin, APP
For the Informant	:	Mr. Aditya Prakash Sahay, Advocate
		Ms. Ankita Kumari, Advocate

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 13-10-2025 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State duly assisted by learned counsel appearing for the informant.

2. The accused/petitioner seeks bail in connection with Hawai 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 not 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 learned counsel appearing for petitioner that the name of petitioner transpired out of confessional statement of co-accused Manish Kumar. It is submitted that it was a business meeting, which was given colour of abduction and kidnapping in a very formulated manner. It is submitted that the police arrived at the place of occurrence on instance of victim while they were engaged in meeting and with connivance of police, the petitioner was said to be arrested. It is submitted that the petitioner and the brother of victim was said to working partner with a film making company. It is submitted that from perusal of Annexure-P/2 and P/3, it can be gathered easily that several payments were made to named co-accused Manish Kumar by brother of the informant and for said business dispute, the present false case was lodged. It is submitted that alleged kidnapping is not for ransom or for murder, wherein 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 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. The petitioner is a man of clean antecedent.

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 was intercepted by the police along with co-accused Manish Kumar and other. 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 core dispute is business transaction.



9. In view of aforesaid factual submissions and by taking note of fact as *prima facie* alleged occurrence appears arising out of business dispute, 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 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 Additional Chief Judicial Magistrate-IV, Patna/Successor court, 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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