

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70762 of 2024

Arising Out of PS. Case No.-251 Year-2024 Thana- JAGDISHPUR District- Bhojpur

Pintu Mahto @ Pintu Kumar S/O Suresh Singh Resident of village- Masad Tola @ Masarh Tola, P.S- Tiyar, Distt.- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Md. Ataul Haque, Adv.

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

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 24-02-2025 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Jagdishpur P.S. Case No. 251 of 2024 dated 24.07.2024 registered for the offences punishable under Sections 140(1) and 140(2) of B.N.S. Act.

3. As per the prosecution case, five-six unknown miscreants are alleged to have kidnapped the informant's cousin and took his motorcycle. It is further alleged that the accused persons demanded a ransom of Rs. 1 lakh.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the possession of the



petitioner. The petitioner is not named in the FIR. The petitioner has no concern with the alleged offence. There is no role of the petitioner in kidnapping the informant's cousin. The specific allegation of kidnapping is against the co-accused, Binod Yadav. The petitioner has no criminal antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 25.07.2024.

5. Learned A.P.P. for the State has opposed the bail petition of the petitioner. At para-9 of the case diary, it is mentioned that the tower location of the mobile of the informant's cousin was located and on that location when police reached there they saw a boy with a motorcycle. The boy was taken under custody by the police who told the police that the assailants on seeing the police left him and fled and also stated that Rs. 10,000/- was received on his mobile which shows that the money was received from Pintu. At para-19 of the case diary, it is mentioned that when the victim was shown the photograph of the accused, Binod Yadav, the victim identified him as the main assailant who threatened him to kill. It appears that the petitioner runs a mobile shop and is indulged in illegal transaction without having any document and license for the same. It further transpired that the petitioner knew the accused Binod Yadav who sent the money on his mobile and also



recovered the same from the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Bhojpur in connection with Jagdishpur P.S. Case No. 251 of 2024, with the condition:-

(i) The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner are liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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