

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2570 of 2025

Arising Out of PS. Case No.-226 Year-2024 Thana- MAHNAR District- Vaishali

=====

Ramesh Kumar S/O Shri Biteshwar Rai R/O Village- Babura, P.S- Barhara,
Distt.- Bhojpur, at present Residing at Mohalla- Water Tower, Road No. 01,
P.S- Kotwali, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. D. K. Sinha, Sr. Advocate
Mr. Alexander Ashok, Advocate
For the Opposite Party/s : Mr. Pranav Kumar, APP

=====

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 31-01-2025 Heard Mr. D. K. Sinha, learned Senior Counsel

along with Mr. Alexander Ashok, learned counsel appearing on
behalf of the petitioner and Mr. Pranav Kumar, learned APP for
the State.

2. Petitioner seeks regular bail in connection with
Mahnar P.S. Case No. 226 of 2024 registered for offences
punishable under Sections 111(2)(b), 117(4), 303(2) and 3(5) of
Bhartiya Nyaya Sanhita 2023 read with Section 7 of the E.C.
Act.

3. As per the allegation made in the FIR, all the
accused persons named therein including the petitioner, with a
common intention, had kidnapped the driver of a tank lorry, on
which petroleum product was loaded, and demanded rupees two



lacs as ransom and had also looted the tank lorry.

4. Learned Senior Counsel appearing on behalf of the petitioner submitted that petitioner is innocent and has falsely been implicated in the present case merely on the basis of suspicion. He further submitted that from perusal of the FIR, it would appear that the petitioner was not involved in alleged kidnapping of the driver of tank lorry nor he had demanded any money. The allegation against the petitioner is that he had accompanied some other co-accused persons and they were prepared to get the petroleum product sold at some other place, which was to be carried out by the Alto Car, in which the petitioner was sitting. He further submitted that such a huge quantity of petroleum product cannot be expected to be loaded on an Alto Car when already four accused persons were sitting in the said Alto car. Petitioner is in custody since 10.07.2024. Similarly situated co-accused Aman Raj, who was arrested on the spot, has also been granted bail by this Court vide order dated 01.10.2024 passed in Cr. Misc. No.65771 of 2024. On these grounds, petitioner seeks to be released on bail.

5. Learned A.P.P., for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the nature of allegation alleged against



the petitioner, the petitioner had allegedly participated in the offence, however, from perusal of the FIR, as well as, from the material which has surfaced in course of investigation as recorded by the learned District Court, it appears that before the accused persons were preparing to sell the petroleum product in the market, the petitioner was arrested. I find that the petitioner, on mere suspicion, has been made accused in the present case. I am of the opinion that petitioner has prima facie made out a case to be released on bail.

7. Learned District Court is directed to release the petitioner, above named, on bail upon furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Mahnar P.S. Case No. 226 of 2024 subject to the following conditions:

(i) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(ii) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

(iii) If the petitioner tampers with the evidence or the



witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(iv) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bond.

(v) **The learned District Court is directed to verify the criminal antecedent of the petitioner as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioner as what has been stated in paragraph no. 3, this order will lose its force automatically.**

(Purnendu Singh, J)

Sanjay/-

U		T	
---	--	---	--

