

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.792 of 2025

Arising Out of PS. Case No.-342 Year-2024 Thana- CHAINPUR District- Kaimur (Bhabua)

Sandeep Kumar Nishad Son of Sita Ram @ Sita Ram Nishad Resident of
Village - Badi Basahi, P.S. - Natya Chawki, District - Mirzapur, Uttar Pradesh

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhash, Adv.

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

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 10-04-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Chainpur
P.S. Case No. 342 of 2024 dated 25.09.2024 registered for the
offences punishable under Sections 127(1), 140(3), 308(3), 319(2),
318(4), 111 read with Section 3(5) of B.N.S.

3. As per the prosecution case, the petitioner alongwith
other co-accused persons kidnapped the informant near Tara
Chandi Gate at Hata Avkhara Road and forcibly sat him in a four
wheeler bearing Registration No. UP65HT5061 and hand-cuffed
the victim and thereafter, the accused persons including the
petitioner presented themselves as Excise Officials of U.P. police
and forcibly took Rs. 20,000/- in cash from the informant and
further asked the informant to bring another Rs. 50,000/- to get
himself freed, thereafter, they have also transferred Rs. 22,000/-



from his Phone Pay Account and then dumped him at G.T. Road. It is further alleged that the informant asked to stop the police vehicle crossing him and told the police about the incident, thereafter, the police team searched the tower location of the mobile number disclosed by the informant and it was found to be near Mundeshwari Temple. When the police team alongwith the informant reached the spot one person was apprehended who was identified by the informant as the petitioner, Sandeep Kumar Nishad and he disclosed the names of other accused persons and on search of their residence one red colour police belt with I.D. Ribbon, police uniform and on search of said vehicle bearing Registration No. UP65HT5061, one hand-cuff with rope police uniform, one T-Shirt of Bihar Police, one holder carrying pistol etc., were recovered.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in the present case. The name of the petitioner has transpired in this case merely on suspicion. No incriminating article has been recovered either from his possession or from his house. The petitioner has no concern with the alleged offence. The co-accused person has already been granted regular bail by this court vide order dated 20.02.2025 passed in Cr. Misc. No. 89098 of 2024. The petitioner has no criminal antecedent as stated in paragraph no. 3 of the bail



application. The petitioner is in custody in this case since 26.09.2024.

5. Learned A.P.P. for the State has opposed the prayer for bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, 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 the learned Court concerned, Kaimur at Bhabua in connection with Chainpur P.S. Case No. 342 of 2024 with further 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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