

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21818 of 2026

Arising Out of PS. Case No.-413 Year-2025 Thana- GARDANIBAG District- Patna

Nihal Kumar @ Bhola Kumar S/o- Late Ashok Kumar Singh Resident of
village-Dhakanpura PS- Gardanibagh Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun Kumar Tiwari, Advocate

For the Opposite Party/s : Mr. Bharat Lal, APP

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR

ORAL ORDER

5 17-07-2026 Heard the learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Gardanibagh P.S. Case No.413 of 2025, F.I.R dated 25.07.2025 registered for the offences punishable under Sections 140(2) of the Bharatiya Nyaya Sanhita, 2023.

3. According to prosecution case, on 25.07.2025 at about 7:30 P.M., the informant's 10-year-old son, Uddham Kumar, went to Babu Bazar to buy chocolates but did not return home. At around 9:00 P.M., the informant received a call from mobile number 9546650076, informing her that her son was with the caller and demanding a ransom of ₹10 lakhs for his safe release, threatening harm to the child if the demand was not met. Despite searching the nearby area, the child could not be



traced, and subsequent calls to the said mobile number went unanswered.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case because of malicious reasons while the petitioner has not been named in the F.I.R. It is the case of the petitioner that on the basis of confessional statement of Abhishek Kumar, the name of the petitioner has transpired in this case while nothing incriminating is said to have been recovered from the constructive possession of the petitioner suggesting his complicity in the commission of said offence. It has further been submitted that the chargesheet has already been submitted and the petitioner is ready to cooperate with the Trial and the petitioner has no criminal antecedent while, Abhishek Kumar, on whose confessional statement the name of the petitioner has transpired in the present case, has already been granted the privilege of anticipatory bail by a Co-ordinate Bench of this Court vide order dated 18.11.2025 passed in Cr. Misc. No.77580 of 2025.

5. Learned APP for the State opposes the prayer for anticipatory bail application.

6. Considering the aforesaid facts and circumstances



that the petitioner has clean antecedent, is not named in the F.I.R. and his name has transpired on the basis of confessional statement of Abhishek Kumar, who has already been granted the privilege of anticipatory bail vide by a Co-ordinate Bench of this Court order dated 18.11.2025 passed in Cr. Misc. No.77580 of 2025 and nothing incriminating is said to have been recovered from the constructive possession of the petitioner suggesting his complicity in the commission of said offence. Accordingly, this Court is inclined to grant the privilege of anticipatory bail to the petitioner.

7. Let the petitioner, above named, in the event of his/her arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM XIII, Patna, in connection with Gardanibagh P.S. Case No.413 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-

(i) one of the bailors should be the family member/relative/known of the petitioner(s) who shall provide



official document/personal affidavit to show his/her bona fide;

(ii) the petitioner(s) shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her/their bail bond by the Trial Court itself;

(iii) the petitioner(s) shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner(s) shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Ajit Kumar, J)

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