

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21653 of 2026

Arising Out of PS. Case No.-266 Year-2025 Thana- KURSAILA District- Katihar

Chandan Yadav @ Chandan Kumar Yadav S/o Paro Yadav @ Parmanand
Yadav R/o Village - Tinghariya, P.S - Kursela, District - Katihar

... .. Petitioner/s

Versus

1. The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhola Prasad, Advocate
For the Opposite Party/s : Mrs. Pushpa Sinha, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 21-07-2026 Heard learned Counsel for the petitioner and learned
APP for the State.

2. The present criminal miscellaneous application has been filed under Sections 483 and 484 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as ‘the BNSS, 2023’) for grant of regular bail to the petitioner who is in custody in connection with Kursela P.S. Case No. 266 of 2025, lodged on 22/11/2025, under Sections 137(2), 140(3) and 142 of the Bhartiya Nyaya Sanhita, 2023. Subsequently, charge sheet has been submitted under Sections 137(2), 103(1) and 140(1) of the Bhartiya Nyay Sanhita, 2023.

3. As per the prosecution, FIR has been lodged against



the sole petitioner with allegation of kidnapping of the grandson son of the informant.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Learned Counsel for the petitioner submits that FIR has been lodged without any evidence. He further submits that statement of the informant and near relative recorded under Section 180 of the BNSS is also without evidence. He submits that when fardbeyan has been held without any evidence then in that case petitioner should be treated as innocent. He submits that case diary has been called for. In the case diary there is no materiel against the petitioner. Counsel submits that the criminal antecedent of the petitioner is not clean as there is one criminal case pending against him.

5. Learned APP for the State, on the other hand, opposes the prayer for bail of the petitioner and submits that it has come in the case diary that the father of the victim has categorically disclosed before the police that he has taken loan from the petitioner and he used to threat on many occasion to him that he will teach a lesson to him and his son will be eloped.

6. Considering the facts that allegation of kidnapping is against the petitioner and subsequently dead body of the said



victim was recovered, this Court is not inclined to grant bail to the petitioner. Hence, the prayer for bail of the petitioner is hereby refused.

(Dr. Anshuman, J)

Mkr./Anshuman/

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