

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40125 of 2026

Arising Out of PS. Case No.-75 Year-2026 Thana- SAHEBPUR KAMAL District- Begusarai

Prahalad Kumar @ Ankit @ Ankit Kumar @ Ankit Yadav S/o Lalit Yadav R/o
Vill- Raghunathpur P.S- Sahebpur Kamal Dist Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 43340 of 2026

Arising Out of PS. Case No.-75 Year-2026 Thana- SAHEBPUR KAMAL District- Begusarai

Ashish Kumar @ Nikki S/o Naval Kishor Yadav R/o Naya Tola Baluahi,
Ranko Koshi College, Khagariya, Khagaria, Bihar, 851205

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 40125 of 2026)

For the Petitioner/s : Mr. Vijay Kumar, Adv

For the Opposite Party/s : Mr. Pranav Kumar, APP

(In CRIMINAL MISCELLANEOUS No. 43340 of 2026)

For the Petitioner/s : Mr. Neeraj Kumar, Adv

Mr. Sandip Kumar, Adv

For the Opposite Party/s : Mr. Kalyan Shankar, APP

CORAM: HONOURABLE MR. JUSTICE RITESH KUMAR

ORAL ORDER

3 28-07-2026 Heard the learned counsel for the petitioners in both

the cases and the learned APP appearing on behalf of the State

in both the cases.

2. The petitioners apprehend their arrest in connection

with Sahebpur Kamal P.S. Case No. 75 of 2026, registered

under Sections 140(1), 140(2) and 3(5) of B.N.S.



3. As per the prosecution story, which has been lodged on the basis of the written report submitted by the informant to the effect that he is a juite bag seller from West Bengal, who came in contact with one Sikandar Khan. Sikandar Khan lured him into illegal business of selling smack by promising easy money. The informant started transporting and supplying smack from Maldah to different places in the State of Bihar like Sultanganj, Jamalpur and Begusarai. It has been alleged that during course of time he met several persons, including Sonu Kumar, Pintu Kumar, Sanni Kumar, Prahalad Kumar @ Ankit @ Ankit Kumar @ Ankit Yadav (petitioner in Cr. Misc. No. 40125 of 2026), Ashish Kumar @ Nikki (petitioner in Cr. Misc. No. 43340 of 2026) and Saket Kumar, who were also involved in the illegal trade of transporting and supplying smack. It has further been alleged that on 20.03.2026, the informant delivered smack at Sultanganj and collected Rs. 1,10,000/-, and called Sonu Kumar, who came there with his friends namely, Pintu Kumar and Prahalad Kumar @ Ankit @ Ankit Kumar @ Ankit Yadav (petitioner in Cr. Misc. No. 40125 of 2026) in a black Scorpio bearing Reg. No. BR01JP-7070. All the accused persons took him to co-accused Sonu Kumar's house, where they had food together and thereafter co-accused Sonu Kumar



transferred Rs. 5,00,000/-, in the account of Sikandar Khan. On the next day when the informant wanted to leave, then co-accused Saket Kumar, Prahalad Kumar @ Ankit @ Ankit Kumar @ Ankit Yadav (petitioner in Cr. Misc. 40125 of 2026) and Pintu Kumar told him to stay and on their request he stayed there. It has further been alleged that he heard them talking on the phone that they are planning to kill him and throw his body in river Ganga. Upon coming to know about the same, the informant tried to escape from there, however he was caught and was assaulted by the accused persons. They locked him in a room and told him to call Sikandar Khan to pay a ransom of Rs. 10,00,000/-. Subsequently, the accused persons took him to a lonely place near river Ganga and assaulted him and kept him there while demanding ransom from his family. It has further been alleged that subsequently they came to know that some of the persons have been arrested by the police and Rs. 1,05,000/-, which was snatched by co-accused Saket Kumar from the informant, has already been recovered, then the accused persons planned to kill him. On 27.03.2026 when three vehicles of police was seen coming towards the informant and others, then the accused persons namely, Pintu Kumar, Prahalad Kumar @ Ankit @ Ankit Kumar @ Ankit Yadav (petitioner in Cr. Misc.



40125 of 2026) and Ashish Kumar @ Nikki (petitioner in Cr. Misc. No. 43340 of 2026) took him to a field and when the police party went away, then they took him out and after some time co-accused Sonu Kumar came there on a motorcycle and they took him towards road. On way they also threatened him and left him near Raghunathpur Kali Mandir, then local police was informed and the FIR was lodged.

4. The learned counsel for the petitioners submits that the petitioners are innocent and have not coming any offence, they submits that from perusal of the FIR, it would appear that the informant is a juite bag seller from West Bengal and came in contact with Sikandar Khan and started supplying and transporting smack from Maldah to different places in the State of Bihar. During course of his business, he met several persons, who were also involved in selling and purchasing of smack. They further submits that so far the question of kidnapping of the informant is concerned, from the FIR itself it is clear that he went to the house of Sonu Kumar on his own and thereafter Sonu Kumar sent Rs. 5,00,000/- to the of owner of the informant namely, Sikandar Khan, therefore there is no question of demand of any ransom or kidnapping the informant. They further submits that from the FIR as well as the seizure list, it



would transpire that nothing has been recovered from the possession of the petitioners or from the house of the petitioners. The name of the petitioners transpired in this case since they happens to be friends of co-accused Sonu Kumar. The learned counsel for the petitioners further submits that as per the statement of informant itself, he used to come to the house of Sonu Kumar along with smack and used to attend party and reside at the house of Sonu Kumar with his friends.

5. The learned counsel for the petitioners further submits that the informant was never kidnapped by the petitioners or any other accused persons. He came to the house of the co-accused Sonu Kumar on his own for supplying smack to Sonu Kumar and on account of dispute with regard to money, the present FIR has been lodged. The learned counsel for the petitioners further submits that no specific allegation has been leveled in the FIR against the petitioners. The learned counsel for the petitioner in Cr. Misc. No. 43340 of 2026 submits that the petitioner has got a clean antecedent and so far as the petitioner of Cr. Misc. No. 40125 of 2026 is concerned, he is an accused in one another case bearing Sahebpur Kamal P.S. Case No. 215 of 2022 instituted under Sections 30(a) of Bihar Prohibition and Excise Act, 2016.



6. *Per contra*, the learned APP appearing on behalf of the State opposes the prayer for bail of the petitioners and submits that the petitioners kidnapped the informant along with co-accused Sonu Kumar and demanded ransome from him. They planed to kill him and took him towards river Ganga, however, since the police conducted raid, they left him near a temple and on the basis of fardbeyan given by the informant, the present FIR has been lodged.

7. Having considered the rival submissions and after going through the records as well as the case diary and the statement of the informant recorded under Section 183 of B.N.S.S, it would transpire that the informant and the accused persons, including the petitioners, were known to each other. From perusal of the allegations leveled in the FIR itself, it would transpire that the informant went with the accused persons willingly and stayed at the house of co-accused Sonu Kumar during night and next morning had food with them and thereafter alleged that the accused persons kidnapped him and tried to kill him. It appears from the records that due to some dispute in between the parties, the present FIR has been lodged, since the informant and the accused persons were in the same business of transporting and selling of smack. Considering the



above, let the above named petitioners, in the event of their arrest or surrender within a period of six weeks, be released on anticipatory bail in connection with Sahebpur Kamal P.S. Case no. 75 of 2026, on each of them furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.- IV, Begusarai, subject to the condition laid down under Section 482(2) of the B.N.S.S., and subject to the following condition:-

(I) That the learned court concerned shall verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedent, the court concerned shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Ritesh Kumar, J)

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