IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65933 of 2026

CNR No. BRHC010935832026

Arising Out of PS. Case No.-354 Year-2026 Thana- GRIYAK District- Nalanda

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Shiv Kumar Verma @ Mithu Verma Son of Bhola Prasad Verma @ Bhola Prasad Resident of Village- Ahiyachak, P.S.- Katrisarai, District- Nalanda.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Sudish Kumar, Adv.
For the Opposite Party/s : Mr. Shailendra Kumar, APP.

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CORAM: HONOURABLE MR. JUSTICE RAJ KUMAR

ORAL ORDER

5 06-11-2026 Heard the learned counsel for the petitioner as well as the learned Additional Public Prosecutor for the State.

2. The petitioner is seeking regular bail in connection with Giriyak P.S. Case No. 354 of 2026, registered for the offences punishable under Section 140(2) of the BNS.

3. As per the prosecution case, it is alleged by the informant that on 21.07.2026, his full brother, namely, Shiv Kumar Verma @ Mitthu Verma, left his house at about 7:00 A.M. on the pretext of going to Patna for purchasing a vehicle but did not return. Thereafter, the informant

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received a voice call through WhatsApp, wherein a ransom of Rs. 2,50,000/- was demanded. The caller further threatened that the life of the informant's brother was in danger if the demanded amount was not paid. Upon receiving the said call, the informant approached the Cyber Police.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has been falsely implicated in the present case. It is further submitted that the FIR was lodged against unknown persons and that the petitioner got himself allegedly kidnapped by the co-accused, who forcibly used his mobile phone to demand ransom of Rs. 2,50,000/- from his family members and subsequently, transferred the said amount. It is further submitted that the petitioner has been implicated in the present case solely on the basis of his alleged confessional statement made before the police. No ransom amount has been recovered from his possession nor is there any direct evidence connecting him with the alleged occurrence. Learned counsel has further submitted that during the course of investigation, the informant and his brother have

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categorically stated that the petitioner had gone in the company of persons having anti-social elements and that, in the circumstances, there was an apprehension that some untoward incident might happen to him. It is, thus, contended that the petitioner was himself a victim of the alleged occurrence and, was duped by persons having anti-social antecedents. It is next submitted that the amount in question, which was transferred to the petitioner, had already been utilized by the other accused persons and that the petitioner had no role in the alleged transaction. It is further submitted that the petitioner is involved in three other criminal cases and has been in judicial custody since 27.07.2026. Learned counsel for the petitioner undertakes that the petitioner shall cooperate with the trial and shall not indulge in the commission of any offence in future.

5. On the other hand, learned APP for the State has opposed the prayer for bail but has fairly conceded that in the statements of the informant and his brother recorded at paragraphs 7 and 8 of the case diary, it has been mentioned that the petitioner had fallen into the company of persons having anti-social tendencies.

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6. Taking into consideration the entire facts and circumstances of the case, coupled with the fact that although the investigation points towards the involvement of the petitioner, it transpires from the record that the petitioner is the brother of the informant and that the informant has not levelled any specific allegation against him, the petitioner above-named, is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned CJM/concerned Court, Nalanda at Biharsharif in connection with Giriyak P.S. Case No. 354 of 2026, subject to the following conditions:-

(i) The petitioner shall cooperate in the disposal of trial.

(ii) One of the bailors must be close relatives of the petitioner such as mother, father, brother, sister or wife.

(iii) The petitioner will appear on each and every date fixed by the trial court and if, he fails to do so on two consecutive dates, unless he is prevented by extremely adverse circumstances, the learned court below will be at liberty to cancel the bail bond of the petitioner.

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(iv) Before release, the learned court below shall verify the criminal antecedent of the petitioner and if he is found involved in any case other than the three cases as mentioned in paragraph no. 3 of the main bail petition, his bail bond will not be accepted. The case mentioned in paragraph no. 3 of the main bail petition is as follows:-

(a) Giriyak (Katrisarai) P.S. Case No. 141 of 2017.

(b) Giriyak (Katrisarai) P.S. Case No. 126 of 2023.

(c) Giriyak (Katrisarai) P.S. Case No. 276 of 2017.

(v) It is also made clear that there shall be no delay in verifying the criminal antecedent of the petitioner and the delay shall not extend beyond a period of ten days.

(vi) If he repeats any offence of similar nature, his bail bond shall be liable to be cancelled immediately by the learned court below.

(Raj Kumar, J)

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