

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74173 of 2025

Arising Out of PS. Case No.-63 Year-2025 Thana- RS P.S. District- Madhubani

Saddam Khan S/o- Nijamuddin Khan Village- Bhargama PS-Bheja District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 85349 of 2025

Arising Out of PS. Case No.-63 Year-2025 Thana- RS P.S. District- Madhubani

Gopal Kumar S/O Lakshmi Mahto R/O Village- Gangapur, P.S- Lakhnaur, Distt.- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 89085 of 2025

Arising Out of PS. Case No.-63 Year-2025 Thana- RS P.S. District- Madhubani

Ajay Kumar Yadav S/O Videshi Yadav R/O vill.- Raja Kharwar, P.S.- Sakatpur, Dist.- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 74173 of 2025)
For the Petitioner/s : Mr. Gagandeo Yadav, Advocate
: Mr. Udeshya Kumar Yadav, Advocate
: Mr. Ravi Prakash, Advocate
For the Opposite Party/s : Mr. Madan Kumar, APP
(In CRIMINAL MISCELLANEOUS No. 85349 of 2025)
For the Petitioner/s : Mr. Baleshwar Kamat, Advocate
For the Opposite Party/s : Mr. Kumar Veerendra Narayan, APP
(In CRIMINAL MISCELLANEOUS No. 89085 of 2025)
For the Petitioner/s : Mr. Baleshwar Kamat, Advocate
For the Opposite Party/s : Mr. Jai Narain Thakur, APP



CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

5 11-02-2026 As these bail applications arise out of the same police station case number, hence they are being heard together and disposed of by this common order.

2. Heard learned counsels for the petitioners and learned APP for the State.

3. The petitioners seek bail in a case registered for the offence punishable under Sections 126(2), 115(2), 109(1), 137(2), 62, 3/5 of the B.N.S.

4. As per the prosecution case, the informant alleged that four masked miscreants in a silver Bolero car attempted to kidnap the son of Dr. Satyadev outside his school.

5. Learned counsels for the petitioners submit that the present First Information Report was lodged against four unknown miscreants, who had come with masked faces for kidnapping of the child but the informant somehow managed to save the child from the same. It is further submitted that the name of the petitioners has transpired during the course of investigation in the confessional statement of Subhash Yadav, Kundan Yadav and the self-confession of the present petitioners. On behalf of petitioner Saddam Khan, it has been argued that he was also put on T.I. parade but he was not



identified. Moreover, the ingredients of Section 109(1) of the B.N.S. are not made out and implication of these petitioners are only on the basis of suspicion. It has also been pointed out that a similarly situated co-accused, Kundan Yadav has already been granted the privilege of regular bail by a Co-ordinate Bench of this Court vide order dated 22.01.2026 passed in Cr. Misc. No.89039 of 2025. Saddam Khan (petitioner in Cr. Misc. No.74173 of 2025), is in custody since 18.07.2025, Gopal Kumar (petitioner in Cr. Misc. No.85349 of 2025) is in custody since 18.07.2025 and Ajay Kumar Yadav (petitioner in Cr. Misc. No. 89085 of 2025) is in custody since 30.09.2025 and the charge-sheet having been submitted and cognizance being taken.

6. Learned APP for the State opposed the bail petition.

7. Taking into consideration the facts and circumstances and the fact that similarly situated co-accused has already been granted the privilege of regular bail by a Co-ordinate Bench of this Court, let the above named petitioners, be released on bail on 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 C.J.M.,



Jhanjharpur/concerned Court below in connection with
Jhanjharpur (R.S) P.S. Case No. 63 of 2025 subject to condition
that:-

- (i) One of the bailors will be their own blood relative, preferably, father, mother, brother, sister and/or his wife.
- (ii) The petitioners shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reasons, their bail bonds shall be liable to be cancelled by the learned court concerned.

(Soni Shrivastava, J)

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