

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78662 of 2025

Arising Out of PS. Case No.-105 Year-2025 Thana- ARIYARI District- Sheikhpura

Suraj Kumar S/o- Rajesh Tanti R/v- Ibrahimpur Ps- Bind Dist- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dinkar Kumar, Advocate

For the Opposite Party/s : Mr.Satyendra Prasad, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 06-02-2026 Heard learned counsel for the petitioner and learned
APP for the State. Perused the case diary.

2. The petitioner seeks bail in connection with Ariyari
P.S. Case No. 105 of 2025 instituted for the offences under
Sections 127(2), 109, 140(1), 3(5) of the Bharatiya Nyaya
Sanhita, 2023 and Section 30(a) of the Bihar Prohibition and
Excise Act.

3. Prosecution case, in short, is that the accused
persons kidnapped the informant in a car, assaulted him and
threatened him to kill but he somehow managed to escape. It is
also alleged that 750ml country-made liquor has been recovered
from the car.

4. Learned counsel for the petitioner submitted that
the petitioner has falsely been implicated in the present case.



Petitioner is not named in the F.I.R. He further submitted that petitioner has been apprehended on the basis on suspicion. Learned counsel for the petitioner submitted that general and omnibus allegation has been made against the petitioner. No specific overt act is alleged against the petitioner. Seized liquor does not belong to the petitioner and the petitioner has no concern with the vehicle in question. It has been submitted on behalf of the petitioner that the petitioner is in custody since 06.08.2025 and has no criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner stating that victim in his statement recorded under Section 183 of the BNSS has stated that the accused persons including the petitioner kidnapped and assaulted him and even threatened him to kill. The allegation levelled against the accused persons including the petitioner is further corroborated by the injury report as the same states that the injuries sustained by the victim are simple in nature caused by hard and blunt substance. Learned APP submitted that since the petitioner was identified by the victim as one of the members of the accused persons who kidnapped and thrashed him, therefore, the petitioner does not deserve to be released on bail.



6. Considering the aforesaid facts and circumstances of the case, Section 183 BNSS statement of the victim as also the injury report, this Court is not inclined to grant bail to the petitioner.

7. Accordingly, the prayer for grant of bail to the petitioner is, hereby, rejected.

8. Learned Trial Court is directed to expedite the trial.

9. However, liberty is granted to the petitioner to renew the prayer for grant of bail before the Trial Court if the trial is not concluded within a period of four months from today. If any such application is filed, the learned Trial Court shall consider the same on its own merit without being prejudiced by this order.

(Rudra Prakash Mishra, J)

manish/-

U		T	
---	--	---	--

