

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81663 of 2025

Arising Out of PS. Case No.-209 Year-2024 Thana- PURAINI District- Madhepura

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Raja Kumar Son of Nirbhaya yadav @ Nirbhay Yadav @ Nirbhai Yadav R/o
Village - Fulauth Purvi, Ward no. 3, P.S. - Fulauth, District - Madhepura.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shiva Shankar Sharma, Adv.

For the Opposite Party/s : Mr.Syed Ehteshamuddin, APP

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CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

5 13-02-2026 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner seeks bail in connection with Sessions Trial No. 138 of 2025 arising out of Puraini P.S. Case No. 209 of 2024 dated 29.10.2024 registered for the offences punishable under Section 140(2) of the B.N.S. Act.

3. As per the prosecution case, the minor boy of the informant was kidnapped by unknown miscreants from the bus. It is alleged that the bus driver has disclosed the number of one of the bikes.

4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case. It has further been submitted that the petitioner is not named in the F.I.R. however during the course of investigation, the name of the



petitioner surfaced and the police has forcefully recorded the confessional statement of the petitioner. It has next been submitted that no incriminating article has been recovered from the conscious possession of the petitioner. It has further been submitted that till date, no T.I.P. has been conducted and even the statement of the victim has been brought on record by way of supplementary affidavit wherein she has not taken the name of the petitioner. It has been pointed out that the co-accused, Saurabh Kumar has been granted bail by a Coordinate Bench of this Court vide order dated 02.02.2026 passed in Cr. Misc. No. 81086/2025. It has lastly been submitted that the petitioner has one criminal antecedent and he is in custody since 30.10.2024.

5. Learned A.P.P. has vehemently opposed the prayer for bail of the petitioner.

6. Considering the facts and circumstances of the case, the petitioner is directed to be released on bail on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending/successor court in connection with Sessions Trial No. 138 of 2025 arising out of Puraini P.S. Case No. 209 of 2024, subject to the following terms and conditions :-



(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner shall remain physically present before the concerned Court on each and every date of the trial and shall cooperate in the investigation.

(iii) In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the Court concerned.

(iv) The trial court shall verify the criminal antecedent of the petitioner and in case, at any stage, it is found that the petitioner has concealed his criminal antecedents, the trial court shall take necessary steps for cancellation of bail bond of the petitioner. However, the acceptance of bail bond in terms of the above mentioned order shall not be delayed for purpose of or in the name of verification.

7. It is made clear that the observations, if any, made in this order, shall be of no bearing during the trial.

8. The application stands allowed.

(Sourendra Pandey, J)

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