

In the Court of Additional Sessions Judge-I, Masaurhi
Bail Petition No.117 of 2025
[Dhanarua P.S.Case No.216/2025]

1. **Mahendra Prasad** aged about 55 years S/o- Lt. Teni Prasad
2. **Mantu Yadav** aged about 26 years S/o- Mahendra Prasad
3. **Bittu Yadav** aged about 22 years S/o- Mahendra Prasad
All R/o-Village- Gulani, P.S.-Hilsa, Distt.- Nalanda
4. **Pintu Yadav** aged about 40 years S/o Lt. Teni Prasad @ Baidhi Yadav
R/o- Village- Sirhanda, P.S.- Karai Parsurai, Distt- Nalanda

..... **Petitioners**

Versus

1. State of Bihar through Addl. Public Prosecutor

..... **Opposite Party**

Regular Bail Petition Under Section 483 & 484 of BNSS

For the petitioner/s : Mr. Kumud Ranjan Ray, Advocate

For the O.P. State : Mr. Dhananjay Kumar, Addl. P.P.

ORDER

Dated: 21.05.2025

This bail petition has been filed on behalf of petitioners namely **1. Mahendra Prasad 2. Mantu Yadav 3. Bittu Yadav 4. Pintu Yadav** in connection with **Dhanarua P.S. Case No.216/2025** for the offence **U/s 137(2), 140,(1), 140(3), 3(5) of the BNS**, which is pending in the court of the SDJM, Masaurhi is being pressed today and heard.

The case of the prosecution as per the written information given by Sangita Devi is that on 31.03.2025 she went to the market with her husband and she left her son Kaushal Kumar (victim) and a daughter at her home. Later, one Mantu Singh called upon her on mobile that her son Kaushal Kumar was forcibly made seated on the motorcycle in front of her house by 06 unknown persons and they him somewhere. When she returned back to her home, she search upon her son and in that course, she came to know that 1. Suraj Kumar 2. Vikash Kumar 3. Sardar Kumar and some unknown persons had come to her house and had forcibly taken her son on motorcycle somewhere.

Learned counsel appearing on behalf of the petitioners has submitted that petitioners have not moved their bail petition earlier either before this court or before the Hon'ble Court. Petitioners have got no criminal antecedents as mentioned in bail petition. Petitioners are in judicial custody since 02.04.2025. Petitioners are quite innocent and have falsely been implicated in this false case. Alleged non bailable sections are super-addition and not applicable against petitioners. Petitioners have been implicated in this case due to relation with co-accused Dinesh Yadav and he has land dispute with informant. There is no role of petitioners in kidnapping of victim and FIR has been lodged on basis of false story. The

victim Kaushal Kumar has already been recovered and his statement U/s 183 of BNSS has been recorded. No any witnesses have seen the involvement of petitioners in alleged occurrence. Petitioners are not named in the FIR and they are named during confessional statement. Petitioners are ready to cooperate during investigation and trial. Petitioners are men of means and are ready to furnish sufficient sureties.

On the other hand the learned Addl. P.P. for the State vehemently opposed the prayer for bail of the petitioners.

Heard the argument of both sides and perused the case record as well as the LCR. It transpires that victim was recovered and his statement was recorded U/s 183 of BNSS in which he stated that he had gone to take some snacks outside his house and three persons namely Santosh Kumar, Vikash Kumar and Suraj Kumar came. Vikash Kumar assaulted him by fist and made him seated on motorcycle and he saw unknown persons on scooty. He was taken to house of Santosh and he was threatened to manage the case else his father would be shot. He further stated that he was later dropped at Pakri more and then the police took him to police station. It also appears that there is some previous land dispute in between the father of the victim and Suraj Kumar, Vikash Kumar and Sardar Kumar for which the father of the victim had lodged and registered one case vide Dhanarua P.S. Case No.180/2024. The petitioners are not named in the FIR. The victim has also not specifically named the petitioners. As per para-3 of the bail petition there is no criminal antecedents of the petitioner. The petitioners are in judicial custody since 02.04.2025.

Considering the aforesaid facts and circumstances of the case this bail petition is **allowed** and accordingly, petitioners are hereby directed to be released on bail forthwith on furnishing bail bond of **Rs.10000/- (Rupees Ten thousand) with two sureties** of the like amount each to the satisfaction of the court concerned in terms of Section 480(3) of the BNSS and they are further directed to remain present in court on each and every date till disposal of the case and if they fails to remain present on three consecutive dates, their bail bonds shall be cancelled. Accordingly, this bail application is hereby disposed of.

Let a copy of this order along with LCR be sent to the court concerned.

(Dictated)

Sd/-

(Sankash Chandra)
Addl. Sessions Judge-I,
Masaurhi