

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.28329 of 2015

Arising out of PS.Case No. -300 Year- 2013 Thana -SIKARPUR District- WEST
CHAMPARAN(BETTIAH)

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Umesh Ram, son of Late Ramlal Ram, resident of village - Court Banjariya,
P.S. - Ramnagar, District - West Champaran.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Umesh Chandra Verma, Advocate.

For the Opposite Party : Mr. A.Dayal (App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 30-10-2015 Heard learned counsel for the petitioner and learned
counsel for the State

The petitioner is languishing in custody since 14.02.2014
in connection with Shikarpur P.S. Case No. 300 of 2013 for the
offences instituted under Section 364(A) of the IPC.

The prosecution story, in brief, is that on 03.09.2013 at
7.30 P.M., the informant's husband did not return home after
closing his medical shop, in respect of which, she had lodged
Sanha with Shikarpur P.S. On 03.09.2013 at 12.37 and 12.42
hours in the night, phone call was received on her Mobile Phone
No. 9199796953 from Mobile No. 9661955045 of her husband
demanding ransom of Rs. 1,50,000/- and forbidding her to inform



the police, otherwise she would meet dire consequence. Again on 05.09.2013, at about 6.20 P.M., another call was received on her Cell Phone from mobile of her husband making enquiry about arrangement of money and on her assurance of making arrangement, she was again prohibited from informing the police, otherwise her husband would be done to death. Out of fear, she submitted application with delay.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. The petitioner is in custody since 14.02.2014 and the charge sheet has been submitted in the case. There is no allegation of tampering with the evidence against the petitioner. The petitioner is not named in the FIR. In the 161 Cr.P.C. statement of the victim is in paragraph no. 30 of the case diary the victim has not named the petitioner. The petitioner has been named by the co-accused apprehended on spot. The petitioner is in custody for one year eight months.

On behalf of the State it has been submitted that the petitioner is not named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., West

Champan at Bettiah in connection with Shikarpur P.S. Case No.
300 of 2013.

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(Sudhir Singh, J)

