

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25501 of 2017

Arising Out of PS.Case No. -256 Year- 2015 Thana -BEGUSARAI TOWN District- BEGUSARAI

=====

1. Nandan Kumar @ Nandan Chaudhary @ Nandan Singh Son of Suresh Chaudhary @ Suresh Singh, Resident of Village- Moktiyarpur, Police Station- Bhagwanpur, District- Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ravi Shanker Pankaj

For the Opposite Party/s : Mr. Ganesh Prasad Singh

=====

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

4 01-08-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in custody since 19.09.2015 in connection with Begusarai Town P.S. Case No. 256/2015 for offences punishable under Sections 384, 386, 307 of the Indian Penal Code.

The prosecution case, as lodged by the informant, is that he was appointed as agent to look after the construction work which was undertaken by his uncle. The petitioner had demanded Rs. 50,000/- as ransom and on the fateful day petitioner along with co-accused Raushan Mallik and four others came to the site and forcibly snatched Rs. 15,000/- and also fired along with co-



accused which did not hit him. The petitioner demanded rest Rs. 35,000/- or otherwise the informant would face dire consequences.

It has been submitted by the learned counsel for the petitioner that he is innocent and has been falsely implicated in the aforesaid case. The other co-accused Raushan Mallik has been granted the privilege of bail by the learned court below itself and just because the petitioner has a criminal antecedent, he is languishing in jail for about two years, hence, a sympathetic consideration may be given. He further submits that charge-sheet has already been submitted and there is no allegation that the petitioner has tampered with the prosecution evidence.

However, learned APP for the State opposes the prayer for bail stating therein that the petitioner has 15 cases pending against him and he is a habitual offender and a veteran criminal.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Begusarai, in connection with Begusarai Town P.S. Case No. 256/2015, subject to the condition that one of the bailors would be a close relative of the petitioner



having sufficient immovable property within the jurisdiction of the concerned police station, who will file an affidavit stating his relationship with the petitioner and that petitioner will appear before the learned court below during trial as and when required and failure to appear on two consecutive dates without assigning any reason will entail cancellation of his bail bonds. It is also made clear that if the petitioner indulges in an offence of similar nature in future, the prosecution will be at liberty to move the court below for cancellation of his bail bonds.

(Nilu Agrawal, J)

Rajesh/-

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

