

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23764 of 2017

Arising Out of PS.Case No. -161 Year- 2016 Thana -GOVINDGANJ District-
EASTCHAMPARAN(MOTIHARI)

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Raju Singh Rathour @ Surendra Narain Singh Son of Late Chetan Singh @
Chet Narain Singh Resident of Village - Dhanhar Dihuli, P.S. Ramgarhwa,
District - East Champaran.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ansul, Advocate

For the Opposite Party/s : Mr. Pancha Nand Pandit, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

4 11-08-2017 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

Petitioner is languishing in judicial custody since
13.12.2016 in connection with Govindganj (Malahi) P.S. Case No.
161 of 2016 registered for the offence punishable under Section
387 of the Indian Penal Code.

The prosecution case, as lodged by the informant, who
along with his younger brother is running a cloth shop, is that he
got a call on his mobile demanding ransom of Rs. ten lacs. It is
alleged that the demand was made by the petitioner whose mobile
number, the informant had taken out from his mobile.



It has been submitted by the learned counsel for the petitioner that he is innocent, no such call has been made by the petitioner and that on investigation, it came to be known that the SIM used to make the call is of one Amit Tiwari and not the petitioner. It is further submitted that just because he has a criminal antecedent and the allegation that the petitioner along with other had earlier caused destruction in the shop of the informant, that the petitioner has been named on the basis of suspicion, which was not substantiated by any circumstantial evidence. He further submits that charge-sheet has already been submitted, hence, there is no chance of tampering with the prosecution evidence and undertakes to cooperate during trial and comply with all the conditions imposed.

However, learned A.P.P. for the State vehemently opposes the prayer for bail stating therein that the petitioner is a veteran criminal and large number of cases are pending against him, some of them being more than 20 years old.

Considering the facts and circumstances and the materials on record, let the petitioner above named be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rs. Twenty-five thousand only) with two sureties of the like amount each to the



satisfaction of the learned Chief Judicial Magistrate, East Champaran at Motihari in connection with Govindganj (Malahi) P.S. Case No. 161 of 2016, subject to the condition that both the bailors would be close relative of the petitioner having sufficient immovable properties within the jurisdiction of the concerned P.S./ Court, who would file an affidavit stating their relationship with the petitioner and that petitioner will appear before the learned Court below on each and every date and failure to appear before the learned Court below on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

It is further made clear that if, in future, petitioner indulges in similar nature of offence, the prosecution will be at liberty to move before the learned Court below for cancellation of his bail bonds.

(Nilu Agrawal, J.)

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