

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2183 of 2017

Arising Out of PS.Case No. -261 Year- 2010 Thana -NAUGACHIA District- BHAGALPUR

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1. Raj Kishor Rai @ Raj Kishor Roai @ Bilaria @ Jhohatana @ Bilariya
Rai, Son of Late Buchi Rai resident of village - Pakara, Police Station -
Naugachhiya, District - Bhagalpur.

.... Petitioner

Versus

1. The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Balram Kapri, Advocate

For the Opposite Party : Mr. Sri Ram Sumiran Roy (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 28-01-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with
Naugachia P.S Case No. 261 of 2010 registered for the offence
punishable under Section 387 of the Indian Penal Code.

Allegedly, from mobile No. 9546642029 call was
made on the mobile of the informant demanding rupees one lakh
as ransom otherwise to kill him and after being asked the caller
disclosed his name as the petitioner.

Submission is of false implication and that no amount
was paid, no offence under Section 387 of the I.P.C. is made out,
without any proper verification and investigation the petitioner has
been implicated in this case. No one has seen the occurrence, the



petitioner has not demanded any ransom, without mentioning call details the petitioner is suffering in custody since 11.04.2016 and, as such, he deserves sympathetic consideration.

Learned A.P.P. submits that petitioner has got criminal antecedent.

In the facts and circumstances stated above, considering the custody of the petitioner now, he is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Naugachia, in connection with Naugachia P.S. Case No. 261 of 2010 (G.R. Case No. 1333 of 2010), subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the Court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J.)

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