

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40466 of 2017

Arising Out of PS.Case No. -124 Year- 2017 Thana -NARPATGANJ District- ARRARIA

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Niraj Kumar Mandal, S/o Surendra Mandal, Resident of Village Simraha
Colony P.S. Simraha, District- Araria.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Prasad Singh

For the Opposite Party/s : Mr. Sri Binod Kumar

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 28-11-2017

Heard the counsels for the parties.

The petitioner seeks bail in connection with
Narpatganj P.S. Case No. 124 of 2017 dated 21.03.2017 instituted
for the offence under Section 386 of the Indian Penal Code.

One Onkar Nath Dubey lodged the FIR alleging that
one of his employees namely Mritunjay Kumar received a
telephone call whereby one Raju Yadav, resident of Supaul, was
demanding Rs. 10 lakhs as ransom for the purposes of permitting
the company to take up the contract work. It is further stated in the
FIR that earlier also, the aforesaid employee of the informant
namely Mritunjay Kumar had been threatened of dire
consequences.

Learned counsel for the petitioner has submitted that



the petitioner is not named in the FIR and his name transpired only during the investigation. From the possession of the petitioner, some SIM cards and telephones were recovered. One mobile set which was used for calling the informant was also found in the possession of the petitioner.

Learned counsel for the petitioner submits that merely because the IMEI Number was found to be tallying, that would not by itself be sufficient to come to the conclusion that the petitioner had made the ransom call. Admittedly, there has not been any transaction of money. The petitioner was earlier made accused in a case instituted under Section 379 of the Indian Penal Code, and in that case, he is on bail.

Taking into account of the fact that the petitioner is in custody since 13.05.2017 and that he was only found in possession of a telephone with a same IMEI Number from which a ransom call was made, this Court is inclined to grant bail to the petitioner.

The petitioner above named is directed to be released on bail on his furnishing bail bond in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria in connection with Narpatganj P.S. Case No. 124 of 2017.

It is however, made clear that in case, the petitioner is



found to be involved in any other case of similar nature, it would be open for the State to proceed for cancellation of the bail granted to the petitioner.

(Ashutosh Kumar, J)

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