

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40437 of 2017

Arising Out of PS.Case No. -15 Year- 2017 Thana -PAKRIDAYAL District-
EASTCHAMPARAN(MOTIHARI)

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Mritunjay Thakur, Son of Anil Thakur, Resident of Village- Phulwaria,
Police Station- Phenhara, District- East Champaran at Motihari.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Dr. Amarendra Kumar, Advocate
Mr. Ravi Shanker Pankaj, Advocate

For the Opposite Party/s : Mr. Ram Sevak Choudhary, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 18-10-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since
08.02.2017 in connection with Pakri Dayal P.S. Case No. 15 of
2017 registered for the offence punishable under Sections 387 and
120(B) of the Indian Penal Code.

The prosecution case, as lodged by the informant, is
that he got a ransom call for payment of Rs. 30 lacs from a mobile
and he claimed himself to be Shiv Shankar Sharma, President of
New Ranvir Sena.

It has been submitted by the learned counsel for the



petitioner that he is innocent, not named in the First Information Report and his name surfaced on the confessional statement of co-accused and his own confessional statement, which has no evidentiary value in the eye of law. He submits that he has been made accused in two other cases, i.e., Pakri Dayal P.S. Case Nos. 16 of 2017 and 17 of 2017 registered for the same offence on the same day by two other persons. He submits that no overt act has been committed and apart from the said two cases, petitioner does not have any criminal antecedent and has been enlarged on bail in the aforesaid two cases by coordinate Benches of this Court.

However, learned A.P.P. for the State opposes the prayer for bail.

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. 10,000/- (Rs. Ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-V, East Champaran at Motihari in connection with Pakri Dayal P.S. Case No. 15 of 2017 subject to the conditions that:

- (1) Both bailors would be close relative of the petitioner having sufficient



immovable property, who will file an affidavit stating their relationship with the petitioner.

(2) 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.

(3) If the petitioner indulges in an offence of similar nature in future, the prosecution will be at liberty to move the learned court below for cancellation of his bail bonds.

(Nilu Agrawal, J.)

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