

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.560 of 2019

Arising Out of PS. Case No.-128 Year-2015 Thana- BHAWANIPUR District- Purnia

Md. Asgar Ali @ Asgar Ali Son of Late Chhedi Alam, Resident of Madheli
Diyara, P.S.- Alam Nagar, District- Madhepura

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vinay Kumar, Adv.

For the Opposite Party/s : Mr.Sri Rajendra Prasad Nat (APP)

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 28-01-2019 Heard learned counsel for petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in connection with Bhawanipur P.S. Case No. 128 of 2015 (G.R. No. 2901 of 2015), registered for the offences punishable under Sections 385 and 387 of the Indian Penal Code.

Informant in her written complaint made to S.H.O. Bhawanipur alleged that on 06.07.2015 at 1:47 a call was received from mobile no. 7258865614 to her mobile in which caller asked her to deposit Rs. 10 lacs as ransom within ten days in the given Bank Account number otherwise she will have to face its consequences. He also gave the IFSC code No. CB1283034 and A/C No. 3273827652 for depositing the same and thereafter said mobile has been switched off.



It has been submitted on behalf of the petitioner that he is innocent and has committed no offence. He has been falsely implicated in this case due to political rivalry. The name of the petitioner has surfaced in this case on the basis of confessional statement of co-accused Niranjana Kumar Bhagat. Petitioner is not named in the F.I.R. and nothing was recovered from the possession of the petitioner. It has been further submitted that the mobile No. 7258865614 does not belong to the petitioner nor he has any concern with said account number and IFSC code. Petitioner is in custody since 23.05.2018.

Considering the aforesaid fact and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Sri Divya Prakash, learned J.M. 1st Class, Purnea, in connection with Bhawanipur P.S. Case No. 128 of 2015 (G.R. No. 2901 of 2015), subject to conditions:

- (1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.
- (2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by Court and his absence on two consecutive dates without sufficient reasons, his bail bond shall be cancelled by the court below.



(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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