

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2705 of 2020

Arising Out of PS. Case No.-198 Year-2018 Thana- BIHARSHARIF District- Nalanda

MD. AMIR S/o Md. Mustafa @ Basmati @ Munna R/o village- Chainpur,
P.S.- Bihar, District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ganesh Sharma, Adv

For the Opposite Party/s : Mr.Ram Anurag Singh, APP

(The proceedings of the Court are being conducted through Video Conferencing and the Advocates joined the proceedings through Video Conferencing from their residence.)

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

4 16-09-2020 Heard learned counsel for the parties.

Petitioner who is in custody seeks bail in a case registered for the offence punishable under Sections 364A of the Indian Penal Code.

Informant in his written complaint has alleged that on 07.05.2018 at about 4:30 his brother went to play, however, he did not return till 7:00 pm then he started searching him and even after much search his whereabouts could not be ascertained and thereafter at about 8:00 pm he received a call from mobile who said that if you want back your brother come with Rs. 3 Lacs at Chauraha of Maniram Baba Akhara unless your brother will be killed.



It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case on mere suspicion only. Petitioner is not named in the FIR. It has been submitted on behalf of the petitioner that the name of the petitioner has surfaced in this case on the basis of confessional statement of co-accused and except the confessional statement there is no incriminating material against the petitioner. The mobile number from which call for ransom was made does not belong to the petitioner. Charge has been framed against the petitioner on 25.02.2019. It has been further submitted that two witnesses have been examined who have turned hostile. Petitioner is in custody since 26.11.2019.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 20,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending, in connection with **S.T No. 613 of 2018** arising out of **Bihar P.S. Case No. 198 of 2018**, with following 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 the Court and his/her absence on two consecutive dates without sufficient reason, his/her 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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