

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15549 of 2020

Arising Out of PS. Case No.-411 Year-2019 Thana- DIGHWARA District- Saran

ABHISHEK BABUAN @ ABHISHEK KUMAR SINGH Son of Dasarth
Singh Resident of Telpa, P.S.- Chapra Town, District- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Rakesh Kumar
For the State	:	Mr.Ramesh Chandra, APP
For the informant	:	Mr. Prem Ranjan Raj, Adv.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 28-08-2020 Due to COVID-19 Pandemic, the matter is being taken
up by way of virtual Court proceeding.

The matter has been listed under the heading “For Orders”
under the orders of Hon’ble the Chief Justice.

Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner is apprehending his arrest in a case
registered under Sections 384, 386, 354, 504, 34 of the Indian
Penal Code.

Allegation against the petitioner is of demanding ransom
amount of Rs. 2,00,000/- and also of threatening to defame the
informant’s character.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. There is no allegation



of tampering of witnesses alleged against the petitioner. The petitioner has been falsely implicated in the present case. As per the FIR, there is general and omnibus allegation against the petitioner. No specific overt act is alleged against the petitioner. The petitioner has been made accused in the present case due to mistake of fact. From perusal of the FIR, it appears that no offence u/S 307 of the Indian Penal Code is made out. So far offence under Sections 384 & 386 is concerned, the same is superficial in nature. It is at best, a case for an offence relating to defamation.

On behalf of the State, it is submitted that the petitioner is named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances of the case and also the lockdown, the petitioner, above named, in the event of arrest or surrender before the learned court below within a period of eight weeks from today, be released on anticipatory bail on his personal bond to the satisfaction of learned Chief Judicial Magistrate, Saran at Chapra in connection with Dighwara P.S. Case No. 411 of 2019 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Once the normalcy is restored, the petitioner shall



furnish bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of seven weeks to the satisfaction of the court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

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