

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23742 of 2020

Arising Out of PS. Case No.-657 Year-2019 Thana- SARAIYA District- Muzaffarpur

Ramesh Paswan, aged about - 27 Years, (Male), Son of -Bhola Paswan,
Resident of Village - Kubauli, P.S. - Paru, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ramakant Sharma , Senior Advocate

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

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

6 23-12-2020 Heard Mr. Ramakant Sharma, learned senior counsel
for the petitioner and Mr. Ram Priya Sharan Singh, learned
counsel appearing for the State through video conferencing.

Petitioner seeks regular bail in connection with
Saraiya P.S. Case No. 657 of 2019 registered for the offence
under Section 363 / 365 of the I.P.C.

The allegation as per the First Information Report is
that on 25.09.2019 the petitioner called the younger brother of
the informant on phone and asked him to come near Repura
Chowk and upon the call made by the petitioner, the brother of
the informant went out of his home and thereafter did not return.

Learned senior counsel for the petitioner submits that
petitioner has falsely been implicated in the present matter
merely on the basis of suspicion inasmuch as the call was
allegedly made by the petitioner on 25.09.2019 to the brother of



the informant but the present F.I.R. has been lodged after considerable delay on 28.09.2019. Learned counsel further submits that in fact the petitioner is a businessman and is dealing in the business of fruits and on 25.09.2019 while he was returning from Bettiah and reached near Dumaria Pul under the jurisdiction of Kesaria P.S. some unknown persons over took his vehicle and kidnapped the petitioner and also snatched a cash of Rs. 35,000 /- and mobile and threw the petitioner in a river and on the next following day on 26.09.2019 villagers of Anandpur saved the life of the petitioner and brought him to Referral Hospital, Sonapur where he was treated and his fardbyan was recorded by the Police of Hariharnath Outpost, Sonapur Chapra. Learned counsel further submits that during investigation no material has come against the petitioner to connect him with the present offence and the petitioner is in custody since 01.10.2019 and charge sheet has already been submitted against the petitioner.

Having regard to the submissions made by the parties and taking into consideration the materials available on record, the fact that petitioner is in custody since 01.10.2019, charge sheet has already been submitted in the present matter and there is no likelihood that the petitioner will abscond or tamper with



the evidence, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Muzaffarpur / court concerned in connection with Saraiya P.S. Case No. 657 of 2019.

It is made clear that at the time of furnishing bail bond all the parties shall follow the guidelines regarding social distancing.

(Anil Kumar Sinha, J)

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