

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27831 of 2020

Arising Out of PS. Case No.-195 Year-2018 Thana- SULTANGANJ District- Patna

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LADDU PATEL @ VIJAY PATEL @ PAPPU, aged about 48 years, Male,
Son of Late Muneshwar Prasad, (wrongly mentioned as Bhuneshwar Mahto
in earlier bail petition), resident of Village - Parmanandpur, P.S. - Mahua,
District - Vaishali. Presently Mohalla - Mahendru, P.S. Sultanganj, District –
Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Sanjay Kumar, Advocate.
For the Opposite Party : Mrs. Renu Kumari, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 06-11-2020 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.

Learned counsel for the petitioner is directed to
remove the defects, as pointed out by the office, within a period
of four weeks after restoration of normalcy.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.



The petitioner seeks bail in a case for the offence registered under Sections 386, 387 and 506 of the I.P.C.

The prosecution story, in brief, is that on 26.06.2018 at about 6.00 P.M. the petitioner alongwith two other accused persons came to the *Flower Shop* of the informant and started abusing and demanded Rs. 5,000/- per month as ransom otherwise they asked her to remove the shop and if she will not give money then he would kill her and her entire family members. Due to fear, she removed her shop. Presently, she is running her shop near *Mahendru Paraw* where the petitioner and other associates have created reign of terror. On 04.07.2018, she came to know that the petitioner was apprehended but co-accused Haresh Patel is still running his shop at *Mahendru Pacca Kuan (Shitla Mandir)*. After hatching conspiracy by two persons, informant's shop was removed. The petitioner is an active member of criminal gang.

Earlier bail application of the petitioner was rejected by this Court vide Cr. Misc. No. 17790 of 2019 under order dated 30.07.2019, annexed as Annexure-1 to the present application with a direction to the learned court below to conclude the trial preferably within a period of nine months from the date of receipt/production of copy of the order taking



into account that the petitioner has already remained in custody for a period of one year.

This is second attempt on behalf of the petitioner for grant of bail.

It has been submitted by learned counsel for the petitioner that the petitioner is in custody since 28.07.2018. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. Out of 18 cases, in 07 cases, the petitioner has been acquitted. The petitioner has falsely been implicated in the present case for oblique reason. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in the present case. It has further been submitted that the petitioner has remained in custody for approximately more than two years and the trial has not been concluded.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances of the case, the petitioner above named, is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate-Ist, Patna City in connection



with Sultanganj P.S. Case No. 195 of 2018 (G.R. No. 3587/2018).

(Sudhir Singh, J)

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