

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81291 of 2019

Arising Out of PS. Case No.-267 Year-2019 Thana- PATLIPUTRA District- Patna

BHOLA RAI Son of Ram Ayodhya Ray Resident of Mohalla - Gboar Gali,
Gosai Tola, P.S.- Patliputra, District - Patna.

... .. Petitioner.

Versus

The State of Bihar

... .. Opposite Party.

Appearance :

For the Petitioner : Mr. Navin Kumar Sinha, Advocate.
For the State : Dr. Indihar Kumari, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

6 25-08-2020 Heard learned counsel for the petitioner and the
learned A.P.P. for the State, through Video Conferencing.

The petitioner apprehends his arrest in connection with
Patliputra P.S. Case No.267 of 2019 registered under Sections
341, 323, 337, 384 and 386/34 of the Indian Penal Code.

The accusation is that in the late evening of 03.07.2019,
the informant Jitendra Kumar Gupta, proceeded from Kadam
Kuan, after closing his shop, for his house. When the informant
reached near Anand Tulip Apartment, then Fudan Rai, son of
Dharmveer Rai, and Bhola Rai (petitioner), son of Jodha Rai,
both resident of Gobar Gali, Gosai Tola, stopped him and asked
him that the name of his son is Lolo and if he wants to see his
son alive, then to give Rs.50,000/- as ransom. When the



informant made protest, then Fudan Rai laid down the informant on the ground catching his collar from the motorcycle and on the point of pistol, gave threatening to kill him in case of non-giving the ransom. In the meantime, Dharmendra Kumar, the brother of the informant, along with neighbours rushed there, then all started to flee away, throwing the stones and bricks, in which Dharmendra Kumar sustained injury on his leg.

Learned counsel for the petitioner submits that, in fact, at the time of the occurrence, due to dashing of the motorcycle by the informant to the co-accused Fudan Rai, hot exchange of words took place in between them. At that time, the petitioner, who was passing through the path, also stayed for sometime to see the occurrence but with an ulterior motive, the petitioner has also been implicated in this case with false allegation. Moreover, it would appear from perusal of the F.I.R. that no specific overt act is attributed to the petitioner rather it is simply stated therein that the petitioner was also present with the co-accused Fudan Rai. The petitioner has no criminal antecedent.

Having considered the facts and the circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender by him within six weeks from today, be enlarged on bail on his furnishing bail bond of Rs.10,000/-



(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Sub Judge-XII-cum-Additional Chief Judicial Magistrate, Patna, in connection with Patliputra P.S. Case No.267 of 2019, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

P.S./-

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