

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86725 of 2019

Arising Out of PS. Case No.-131 Year-2015 Thana- PAKRIDAYAL District- East Champaran

MUNCHUN SINGH @ KAUTAR SINGH @ COUNTER S/o
RAMCHANDRA SINGH, R/O VILLAGE HARNATHPUR PARSAUNI, PS
PAKARIDEYAL, DISTRICT EAST CHAMPARAN.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma

For the Opposite Party/s : Mr.Md. Matloob Rab

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

4 02-06-2020 Heard learned counsel for the parties.

Petitioner who is in custody seeks bail in a case registered for the offence punishable under Sections 384, 385, 341, 323, 448, 504 and 506 of the Indian Penal Code.

Informant in his written complaint has alleged that on 17.09.2015 on mobile, ransom of Rs. 5,00,000/- was demanded and the unknown caller said that if the aforesaid amount is not paid he will be shot dead and on 23.09.2015 again demand was made for the aforesaid amount. Thereafter the informant went to Pakrideyal Police Station to give information and as he reached the police station he was informed on his mobile that 4-5 miscreants came at his door and tried to take away the son of the informant but the ladies present there saved him and miscreants



fled away. Thereafter, on 26.09.2015 the petitioner and two other co-accused came and entered into the shop of the informant and started assaulting him with fists and slaps and demanded ransom giving last warning and thereafter, they fled away.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case. FIR has been lodged on 01.10.2015 after delay of 13 days. Occurrence is alleged to have taken place on 26.09.2015 and there is no explanation for lodging FIR after such delay. It has been further submitted that Informant has taken loan from petitioner and when he demanded his money back he has been implicated in this case. Similarly, situated co-accused person has been granted bail by a co-ordinate bench of this Court vide order dated 16.09.2016 and passed in Criminal Miscellaneous No. 31804 of 2016. Petitioner is in custody since 01.10.2019.

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 **Pakarideyal P.S. Case No. 131 of 2015**, 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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