

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.40976 of 2020

Arising Out of PS. Case No.-168 Year-2016 Thana- GUTHANI District- Siwan

ARVIND BAITHA, Son of Ram Ekbal Baitha, Resident of Village-
Mashwaly, P.S.- Guthani, District- Siwan ... Petitioner
Versus

The State of Bihar ... Opposite Party

Appearance :

For the Petitioner : Mr. Ramadhar Shekhar, Adv.
For the Opposite Party : Mrs. Renuka Thakur, APP

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

ORAL ORDER

2 29-07-2021

As prayed for, through video conferencing, let the learned counsel for the petitioner remove the defect(s), as pointed out by the office vide it's note, dated 30.12.2020, within four weeks of starting of the Court proceeding in physical mode properly.

Heard the parties through video conferencing.

The petitioner seeks pre-arrest bail in connection with Guthani P.S. Case No. 168 of 2016, registered under Section 387 of the Indian Penal Code.

The accusation is that the informant, Dr. Kamal Yadav, is running the brick kiln. On 20.12.2016 an unknown person handed over the letter to the informant at the brick kiln demanding Rs.10,00,000/- giving threatening that if the ransom will not be paid, then, there will be dire consequences. On 28.12.2016, the informant, Dr. Kamal Yadav, received the call on his mobile no. 7371009055 from mobile no. 07762085220 demanding a ransom of Rs.10,00,000/- giving threatening that if the ransom is not paid within 48 hours, then, there will be dire consequences.

The learned counsel appearing on behalf of the petitioner



submits that the petitioner is not named in the first information report nor the petitioner is holder of mobile no. 07762085220. In course of investigation, the name of the petitioner is surfaced in the confessional statement of co-accused to the effect that the petitioner is also his associate indulged in the present occurrence. Further, submission is that while the petitioner is accused in two cases, as detailed in paragraph 3 of the petition, but, he is on bail in both the cases.

Having regard to the facts and circumstances of the case, let the petitioner, above named, in the event of arrest/surrender, within a period of four weeks from today, in connection with Guthani P.S. Case No. 168 of 2016 shall be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of Sri A.K. Tripathi, Judicial Magistrate, 1st Class, Siwan, or the successor Court subject to the conditions as laid down under Section 438(2) Criminal Procedure Code and out of two bailors, one must either be parent or close relative of the petitioner.

(Rajendra Kumar Mishra, J)

Shamshad/-

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