

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3036 of 2021

Arising Out of PS. Case No.-429 Year-2020 Thana- NAUBATPUR District- Patna

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1. DEVANAND KUMAR Son of LALAN MISTRI
 2. RAMJI KUMAR @ ANIKET KUMAR Son of Anil Ram @ Anil Chandrabanshi
Both Resident of Village - Jalpura Jaitipur, Police Station - Naubatpur, District - Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dr. Manoj Kumar
For the Opposite Party/s : Mr.A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 16-03-2021 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

The petitioners are in custody since 22.08.2020 in connection with Naubatpur P.S. Case No. 429/2020 registered for the offences punishable under Sections 385/387 of the Indian Penal Code.

As per the prosecution case, on 09.08.2020, informant received a call from Mobile No. 7352387769 for ransom of rupees one lac and again on 10.08.2020, a call was made for paying *rangdari* and lastly on 11.08.2020, similar call was repeated for demand of rupees five lakh as *rangdari* from mobile No. 7905673970.



It is submitted on behalf of the petitioners that during the course of investigation, it has come that SIM No. 7905673970 was found to be registered in the name of Ankit Yadav, resident of village Fathafulganj Kant, P.S. Rail Bazar, District-Kanpur (U.P.) whereas SIM No. 62068853467 has been allotted in the name of Suresh Singh son of Ram Pravesh Singh village Jaitpur Adampur Piplawa. It is further submitted that the mobile numbers from which demand of *rangdari* have been made, have been allotted in the names of different person, not in the name of these petitioners. It next submitted that petitioners have been made accused in this case only on the basis of statement of Ujjawal Kumar who stated that while he was going to Delhi, he had given the aforesaid SIM to his friend (Petitioner No. 1). It is submitted that save and except suspicion, there is no cogent material to connect these petitioners in connection with the present case. Chargesheet has already been submitted in this case. Petitioners have got no criminal antecedent and they are in custody since 22.08.2020.

Considering the aforesaid facts and circumstances of the case and also the fact that the mobile numbers from which calls for ransom was made, does not belong to these petitioners, the bail petition of the petitioners is allowed. Let the petitioners



above named be released on bail, on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount to the satisfaction of learned Additional Chief Judicial Magistrate-III, Danapur, Patna, in connection with Naubatpur P.S. Case No. 429 of 2020, subject to following conditions:-

(1) Petitioners 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 on their absence on two consecutive dates without sufficient reason, their bail-bonds shall be cancelled by the Court below.

(2) If the petitioners tempers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Prabhat Kumar Singh, J)

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