

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9727 of 2021

Arising Out of PS. Case No.-923 Year-2018 Thana- JAHANABAD District- Jehanabad

Raju Yadav aged about 22 years Son Of Mithlesh Yadav R/O Village-
Khairuchak Mathia, P.S.- Shakurabad, Dist.- Jehanabad

... Petitioner

Versus

The State Of Bihar

... Opposite Party

Appearance :

For the Petitioner : Mr.Paras Nath, Advocate

For the Opposite Party : Mr. UN Pandit, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 31-05-2021 This matter is taken up for consideration through
Video Conferencing.

Heard learned counsel for the petitioner and the State.

The petitioner prays for grant of regular bail in a case
registered for the offence punishable under section 364A of the
Indian Penal Code.

As per the prosecution case, on 18.11.2018, husband of
informant informed her on telephone that he has been arrested
by the police. He asked the informant to arrange Rs. 10 lacs till
6 A.M. as ransom otherwise he would be shot dead.

Learned counsel for the petitioner has submitted that
there is no allegation against this petitioner that he ever made
ransom call and in fact his name has come in the case on the
basis of confessional statement of co-accused Satyendra Kumar
as well as section 164 Cr.P.C. statement of the victim in which
the victim has stated that when he was in the captivity of the
accused persons, they were talking by calling their names



including the name of the petitioner and save and except the Call Detail Report (CDR) no other incriminating material has been collected against the petitioner during course of investigation. Moreover, parties have compromised the dispute and similarly situated co-accused persons have already been allowed bail different co-ordinate benches of this Court detailed in para 11 of the petition. Petitioner has claimed clean antecedent and he is in custody since 2.9.2020.

Learned counsel for the State opposes the prayer for bail.

Considering the facts and circumstances of the case and the fact that no specific role has been assigned to the petitioner and similarly situated co-accused persons have already been allowed bail and petitioner has got clean antecedent, let the petitioner, mentioned above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Jehanabad in Jehanabad Police Station Case No. 923 of 2018 on the following conditions:-

(1) 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 on his/her absence on two consecutive dates without



sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers 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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