

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1676 of 2022**

Arising Out of PS. Case No.-8 Year-2020 Thana- MOTIPUR District- Muzaffarpur

ROBIN URANG @ ROBIN ORAON S/o Madan Orang @ Madan Oraon
Resident of Village- Bhimpura, Police Station and District- Tinsukiya
(Assam)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 1812 of 2022

Arising Out of PS. Case No.-8 Year-2020 Thana- MOTIPUR District- Muzaffarpur

FAIZ AHMAD Son of Jalal Ahmad Resident of Village- Bairam Inderwa, P.S.
and District- Gopalganj, State- Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 1676 of 2022)

For the Petitioner/s : Mr.Alok Kumar Alok, Advocate

For the Opposite Party/s : Mr.Sanjay Kumar Singh, APP

(In CRIMINAL MISCELLANEOUS No. 1812 of 2022)

For the Petitioner/s : Mr.Nachiketa Jha, Advocate

For the Opposite Party/s : Mr.Bhanu Pratap Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

3 20-07-2022 Let the defects, as pointed out by the office, be

removed within four weeks of starting of Court proceeding in

physical mode in normal course.

Heard learned counsel for the petitioners and the

learned A.P.P. for the State.



The petitioners seek bail in a case registered for the offence under Sections 387 and 389 of the Indian Penal Code and Sections 25(1-b)a/26/35 of Arms Act.

As per FIR lodged by informant Anil Kumar, being Motipur P.S. Incharge, the prosecution case is to the effect that upon receiving information from the S.S.P., Muzaffarpur to the effect that gang of inter-state kidnappers having committed high profile kidnapping in Siliguri alongwith the kidnapped person, are roaming by changing their location in Gopalganj Motihari and Muzaffarpur and on that information considering the sensitivity of the matter, the informant alongwith the police team under the supervision of senior police officials, started hunt operation and at NH-28 near Mahmoodpur Basmi village under Motipur P.S., intercepted a Mahindra TUB vehicle on suspicion and upon search of the said vehicle, the petitioners alongwith other co-accused were apprehended who on interrogation confessed their involvement in the reported kidnapping case and from search of the vehicle, one pistol, three cartridges and cash of Rs.47,74000/- were recovered and regarding cash recovery, as is reported in the FIR, apprehended accused persons including the petitioners disclosed that the same was received by them as ransom amount in the



kidnapping of one chartered accountant namely Kishan Agrawal. It is also reported that in the FIR that in that course of search and raid, Gopalganj and Siliguri police also reached there and Siliguri police has confirmed the apprehended accused as being kidnapper of the case being registered as Siliguri P.S.Case No.10 of 2021 dated 07.01.2021 under Sections 363,364A/34 of IPC.

Learned counsel appearing for the petitioners submits that petitioner-Robin Urang @ Robin Oraon carries one more case other than the present one. Petitioner-Faiz Ahmad has clean antecedent. He further submits that in fact they have falsely been implicated in the present case. He further submits that petitioner-Robin Urang @ Robin Oraon has falsely been implicated in Siliguri P.S.Case No.11 of 2020 under Sections 363,364(A)/120B/34 of IPC and on the basis of the statement of the victim recorded under Sections 164 Cr.P.C., petitioner Robin Urang @ Robin Oraon has been granted bail in the aforesaid case. He further submits that the present case is not related to that case and only on the basis of suspicion the petitioners have been falsely implicated in the present case. He further submits that it appears from the FIR as well as seizure list that the arms has been recovered from possession of co-accused-Ranjit



Gimirey and the petitioners have no concern at all with the alleged recovery and Rs. 47,74,000/- has been recovered from the Car. He further submits that the kidnappers have not identified the petitioners and never put on T.I.P. Petitioners are in custody since 12.01.2020.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioners.

Considering the aforesaid facts and period of custody, let the petitioners, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending in connection with Motipur P.S.Case No. 08 of 2020 with the 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 and on their absence on two consecutive dates without sufficient reason, their bail bonds shall be cancelled by the Court below.

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



And, further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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