

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6915 of 2022

Arising Out of PS. Case No.-455 Year-2019 Thana- JAYNAGAR District- Madhubani

Ajit Yadav Son of Ganga Prasad Yadav R/O Village- Gobrahi, P.S.- Jaynagar,
District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ratanakar Jha, Advcate

For the Opposite Party/s : Mr. Naveen Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 29-09-2022 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Jaynagar
P.S. Case No. 455/2019 registered for the offence under
Sections 384,506 and 34 of the Indian Penal Code.

The accused/petitioner is not named in the F.I.R. and
is in custody since 05.07.2021.

The allegation against the petitioner is to demand
ransom of Rs. 2,00,000/- from informant, along with other co-
accused persons by putting informant under fear of death.

Learned counsel appearing on behalf of the petitioner
submitted that petitioner has falsely implicated in present case,



where he is not named in F.I.R. It is further submitted that the name of petitioner, during the course of investigation, surfaced on the basis of confessional statement of co-accused, namely, Dinesh Kumar, where no incriminating articles has been recovered from the conscious physical possession of the petitioner. It is also submitted that petitioner was never put on TIP, despite of the fact that all descriptions was available to the informant. It is further submitted that similarly situated co-accused person, namely, Arvind Kumar Yadav, has already been granted bail by one of the learned co-ordinate Bench of this Court through Cr. Misc. No. 19938 of 2021 vide order dated 31.08.2021. While concluding the argument, it has been submitted that investigation has been completed, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP, while opposing the prayer of bail, fairly conceded that petitioner is not named in F.I.R.

Considering the facts and circumstances as mentioned above, as no incriminating material recovered from the conscious physical possession of this petitioner coupled with the fact that charge-sheet has been submitted, let the petitioner, above named, is directed to be released on bail in connection



with Jaynagar P.S. Case No. 455/2019 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Madhubani concerned court, subject to the following conditions:

“(i) That the accused/petitioner shall not involve in the similar nature of offence till the conclusion of trial, failing which the State shall be at liberty to move before the Trial Court itself for the cancellation of bail bond of the petitioner.

(ii) Accused/Petitioner shall cooperate in the trial and shall be physically present on each and every date before the Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the Trial Court, only on medical ground of the petitioner duly supported by the documents.

(iii) That one of the bailors shall be Priyanka Kumari, who is the wife of the petitioner and deponent of the present bail petition.”

(Chandra Shekhar Jha, J)

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