

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10284 of 2022

Arising Out of PS. Case No.-48 Year-2021 Thana- MIRGANJ District- Gopalganj

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AHSAN RAY @ EHSOON RAI Son of Rai Fakruddin Resident of Village-
Bhawrajpur, P.S. - Andar, District - Siwan.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Anirudh Kumar Verma, Adv.
		Mr. Vyas Kumar Mishra, Adv.
For the Opposite Party/s :		Mr. Rina Sinha, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 27-07-2022 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in a case registered for the
offence under Sections 364(A), 120(B)/34 of the Indian Penal
Code.

The son of the informant is said to have been abducted
by the petitioner and others.

Learned counsel appearing for the petitioner submits
that the petitioner is innocent and has falsely been implicated in
this case. He further submits that the petitioner has not been
named in the F.I.R. but merely on the basis of confessional
statement of the co-accused, Sagar Kumar and Anil Kumar and
also on his self confession, he has been made accused in this case.
Save and except the confession of the co-accused along his self



confession before the police, no cogent material has come against the petitioner during course of investigation. He further submits that the victim is said to have been recovered who in his statement recorded under Section 164 Cr.P.C. has not disclosed anything about the petitioner. He further submits that the petitioner has not been put on T.I.P. by the prosecution as yet. He further submits that similarly situated person has already been granted bail by this Court vide order dated 22.02.2022 passed in Cr. Misc. No. 42554 of 2021. The petitioner is rotting in judicial custody since 10.02.2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries one more case other than the present one.

Considering the facts and circumstances of the case, let the, above named, petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Mirganj P.S. Case No. 48 of 2021 with 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 canceled 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.

And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. 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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