

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23420 of 2021

Arising Out of PS. Case No.-119 Year-2020 Thana- KHODAWANDPUR District- Begusarai

Mintu Yadav @ Abhishek Kumar Son Of Ram Prakash Roy R/O Village-
Kumbhi, P.S.- Cheriya Bariyarpur, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar, Adv

For the Opposite Party/s : Mr.A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 11-01-2022 Heard learned counsel for the petitioner and the
learned A.P.P. for the State in virtual Court proceeding.

The petitioner seeks bail in connection with
Khodawandpur P.S.Case No.119 of 2020(G.R.No.165 of 2020)
registered for the offence under Sections 120B,364,365 of the
Indian Penal Code.

Prosecution case as lodged by the informant is that as
soon as he returned to his home, he was reported by the persons
named in the FIR that his younger brother namely Sandeep @
Guddu was taken away on bullet motorcycle by three persons,
who happened to close associates of his brother. Thereafter, it is
alleged that an unknown call was received by the informant's
mother whereby demand of Rs. 60,000/- was made on account
of money transaction and it was directed for sending the said



amount.

Learned counsel appearing for the petitioner submits that petitioner has falsely been implicated in the present case. He further submits that the petitioner is not connected with the alleged occurrence. He further submits that nothing has recovered from the possession of the petitioner. He further submits that it appears from the FIR itself that there is no specific allegation against the petitioner. He further submits that co-accused, namely, Avinash Kumar @ Abinash Kumar and Guddu Kumar have been granted bail vide order dated 05.02.2021 in Cr.Misc. No.38034 of 2020 and another co-accused, namely, Panchu Kumar @ Dilip Kumar has been granted bail vide order dated 25.01.2021 in Cr. Misc. No.34855 of 2020 by different Coordinate Benches of this Hon'ble Court. Petitioner is in custody since 02.12.2020.

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 petitioner, above named, 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 S.D.J.M.,



Manjhaul, Begusarai in connection with Khodawandpur
P.S.Case No.119 of 2020(G.R.No.165 of 2020) 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 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.

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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