

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31222 of 2021**

Arising Out of PS. Case No.-189 Year-2020 Thana- MINAPUR District- Muzaffarpur

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RAGHO RAI @ RAGHU RAI S/o Rajmangal Rai R/o village- Hansaur, P.S.-
Belsand, District- Sitamadhi

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anish Kumar

For the Opposite Party/s : Mr.Pawan Kumar Chourasia

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 08-02-2022 Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State in virtual court

proceeding.

Let the defects, as pointed out by the office, be

removed within four weeks of start of normal functioning of the

physical court.

Petitioner seeks bail in connection with Minapur P.S.

Case No. 189/ 20 registered for the offences punishable under

Sections 385, 386 of the IPC and 17 of C.L.A. Act.

As per prosecution case, on 30.05.2020 the informant

received a ransom call on his mobile demanding rupees five lacs

in extortion giving warning that if demand is not fulfilled, his

entire family member would be killed.

Learned counsel for the petitioner submits that



petitioner is not named in the FIR and he has falsely been implicated in the present case only on the basis of self confessional statement of the petitioner. Learned counsel further submits that except the self confessional statement of the petitioner, there is nothing against him. The police after investigation submitted charge sheet against the petitioner on 15.02.2021. He further submits that co-accused Pramod Kumar @ Pramod Rai has been granted bail by a co-ordinate Bench of this court vide order dated 27.08.2021 passed in Cr. Misc. No. 31770 of 2021 and petitioner is in custody since 18.12.2020.

The learned Additional Public Prosecutor vehemently opposed the prayer of bail submitting that petitioner carries eleven criminal antecedent.

Considering the aforesaid facts and circumstances, 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 the learned Chief Judicial Magistrate, Muzaffarpur in connection with Minapur P.S. Case No. 189/ 20, subject to 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 absence on two consecutive dates without sufficient reason, his 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.

3. 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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