

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.39681 of 2021**

Arising Out of PS. Case No.-564 Year-2020 Thana- SIWAN MUFFASIL District- Siwan

Ramanand Yadav, Son of Sharda Yadav, Resident of Village- Pararia, P.S.-  
Siwan Muffasil, District- Siwan, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. P rashant Kumar, Advocate

For the Opposite Party/s : Mr. Prem Kumar Jha, APP.

**CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR**

**ORAL ORDER**

5      12-07-2022                      Heard Mr. Prashant Kumar, learned counsel for the  
petitioner and learned APP for the State.

The petitioner seeks regular bail, who is in custody in connection with Siwan Mufassil (Dhanauti) P.S. Case No. 564 of 2020 registered for the offences punishable under Sections 387 and 506 of the Indian Penal Code.

As per the prosecution case, it is alleged that the mobile hand set of the informant was lost on 07.12.2020 near Sahu More, Salempur. It is further alleged that unknown miscreants thereafter called the informant on his mobile phone on 19.12.2020 and demanded a ransom amount to the tune of Rs.2,00,000/-, thereafter this present F.I.R. has been instituted on 25.12.2020.



It is submitted by the learned counsel appearing on behalf of the petitioner that this petitioner is stated to have been arrested after five months of the alleged occurrence from a petrol pump along with co-accused person, namely, Ashok Panday @ Ashok Pandey and from the possession of this petitioner mobile phone, used for demand of extortion, was recovered. It is further submitted that the petitioner has no concern nor connection with the owner of the mobile no. 7321830454, from which call of ransom to the informant was allegedly made. It is next submitted that no electronic evidence has been brought on record, which suggests the complicity of this petitioner for demand of ransom and stolen mobile phone. It is next submitted that even as per the F.I.R., it is evident that a demand of ransom has been made, but it has not come that any ransom has been given to any one and as such no case under Section 387 of the Indian Penal Code is made out. It is further submitted that co-accused person, namely, Ashok Pandey, who was also apprehended along with this petitioner, has been granted bail by a learned coordinate Bench of this Court in Cr. Misc. No. 50175 of 2021 vide order dated 31.01.2022 and moreover this petitioner is in custody since 20.04.2021 having fair antecedent and the investigation of the crime is already



concluded and charge-sheet has been submitted.

On the other hand, learned APP for the State vehemently opposes the bail application and submits that the mobile phone, which was used for demand of ransom, has been recovered from the possession of this petitioner.

Having considered the submissions made on behalf of the learned counsel for the parties and taking into consideration the fact that except the allegation that a ransom call has been made, there is no other material, apart from the fact that the petitioner is not the holder/owner of the mobile phone, from which the call has been made for ransom and further one of the co-accused, who was also apprehended with the petitioner, has already been granted bail by a learned coordinate Bench of this Court and moreover investigation of the crime is already concluded and charge-sheet has been submitted, and the petitioner is in custody since 20.04.2021 having fair antecedent, let the petitioner, named above, be released on bail on furnishing bail bonds of Rs.20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Siwan in connection with Siwan Mufassil P.S. Case No. 564 of 2020, subject to the condition that one of the bailors will be the close relatives of the petitioner



with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.,

**(Harish Kumar, J)**

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