

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35548 of 2022

Arising Out of PS. Case No.-252 Year-2020 Thana- BIHARIGANJ District- Madhepura

Bipin Sah @ Bipin Kumar Sah Son Of Mantu Sah R/O Village- Chakla, P.S.-
Alamnagar, District- Madhepura

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Uday Chand Prasad, Advocate
		Mr. Manoj Kumar, Advocate
For the Opposite Party/s	:	Mr.Md. Nazir Ansari, APP.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 16-09-2022 Let the defect(s), if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual mode.

The petitioner seeks regular bail in connection with
Bihariganj P.S. Case No.252 of 2020, lodged under Section 386
of the Indian Penal Code.

As per F.I.R., the allegation of demanding ransom is
there in the F.I.R. by virtue of sending message by a mobile.

Learned counsel for the petitioner submits that he is a
poor farmer having clean antecedent. He further submits that his
mobile was missing. He went to police station but police has not
lodged his *sanha*. The only mistake done by the petitioner is that

he has not closed his Sim number. He further submits that there is no allegation of call rather allegation of sending *sms* from the mobile which has been lost by the petitioner. He further submits that petitioner is in custody since 06.04.2022 and charge sheet has already been filed in this case having clean antecedent.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Udakishunganj, Madhepura in connection with Bihariganj P.S. Case No. 252 of 2020, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioner shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall be resulted into cancellation of his bail bond.

B. One of the bailors shall be close relative who shall file affidavit before the court about his relationship with the

petitioner.

C. The petitioner shall file an affidavit at the time of furnishing of bail bond that he shall not involve in such criminal activity during the continuance of present bail bond, violation of this condition shall be resulted into cancellation of his present bail bond.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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