

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36371 of 2022

Arising Out of PS. Case No.-119 Year-2021 Thana- SAHODARA District- West Champaran
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Bhim Ram @ Bhim Kumar, Son of Dindeyal Ram, Resident of Village -
Prem Nagar, P.S.- Sahodara, District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Shrivastava, Advocate
For the Opposite Party/s : Mr. Abhay Kumar Roy, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 20-09-2022 Heard learned counsel for the petitioner and the

learned APP for the State.

Let the defect(s) be removed within four weeks of the

complete start of the physical Court in normal course.

The petitioner is in judicial custody in connection with

Sahodara P.S. Case No.119 of 2021 instituted under Sections

384,385,386 of the Indian Penal Code.

As per the FIR, the informant has alleged that the

accused persons demanded ransom of Rs.10,00,000/- and failure

to do so, his 'Mall' was locked. He had to visit the police station to

get the same unlocked, whereafter it is alleged that once again

the accused persons including the petitioner herein threatened

him to pay Rs.10,00,000/-, failing which be ready to face dire

consequences.

Learned counsel for the petitioner submits that the

informant and the petitioner are own brother-in-laws and as



such it is impossible that there can be any demand of ransom from own relative. It is his further submission that if granted the privilege of bail, he will remain outside the district of West Champaran for a month beginning from the date of his release. His further submission is that he is ready to abide by any terms and conditions imposed, if granted the privilege of bail.

Learned APP opposes the prayer for bail and submits that he has demanded ransom amongst other the petitioner herein.

Be that as it may, he is in custody since 25.03.2022 and the charge sheet stands submitted, this Court is inclined to grant him privilege of bail subject to payment of Rs.10,000/- to the Bihar State Legal Services Authority, Patna as also directing the petitioner that he will move out from the district of West Champaran from the date of his release for next one month.

Let the petitioner be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each in connection with Sahodara P.S. Case No.119 of 2021 to the satisfaction of learned Chief Judicial Magistrate, Bettiah, West Champaran, subject to following conditions:

(i) one of the bailor should be the family member of the petitioner, who shall provide official document to show his/her bona fide;



(ii) he shall leave the District of West Champaran and shall mark his attendance (in the police station under whose jurisdiction he will remain for a month) every week till his return to the West Champaran;

(iii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail by the Trial court itself;

(iv) after his return to West Champaran, the petitioner shall appear before the concerned police station every fortnight for next six months to mark his presence;

(v) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

Prakash Narayan /-

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