

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.49033 of 2021**

Arising Out of PS. Case No.-184 Year-2021 Thana- KATIHAR NAGAR District- Katihar

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Ganesh Chouhan S/O Ram Niwash Chauhan R/O Village-Dalan, P.S-  
Muffasil, District-Katihar. ... .. Petitioner/s

Versus

THE STATE OF BIHAR ... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Bhola Prasad,Adv

For the Opposite Party/s : Mr.Abhay Kumar Roy, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

3      23-03-2022                      Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner seeks bail in connection with Katihar Town P.S.Case No.184 of 2021 registered for the offence under Sections 364(A), 34 of the IPC.

The prosecution case, in short, is that the informant's cousin alongwith his friend had gone to attend the marriage function on 03.04.2021 but while returning they were kidnapped by four unknown persons on two motorcycles. On 05.04.2021 in the night the informant received call from his cousin's mobile and ransom of Rs.1,000,00/- was demanded which was communicated to the victim's parents. On bargaining Rs.60,000/- was fixed as ransom money and then informant



alongwith victim's parents came to the police station to file the present case.

Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent. He has falsely been implicated in the present case only on the basis of suspicion. He further submits that both the victim have been examined before the learned Magistrate under Section 164 Cr.P.C. in which they also not disclosed anything regarding the demand of ransom. He further submits that the petitioner is in custody since 07.04.2021 but till date no T.I. Parade has been conducted by the prosecution. He further submits that except confession of the petitioner before the police, nothing has come against the petitioner during investigation. He further submits that co-accused, namely, Ravi Jha @ Chunmun, Sonu Kumar and Laljeet Chouhan have been granted privilege of anticipatory bail by the learned court below itself and the police after investigation submitted chargesheet against the petitioner.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

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 C.J.M.,  
Katihar. in connection with Katihar Town P.S.Case No.184 of  
2021 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)**

Nitesh/-

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