

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40023 of 2022

Arising Out of PS. Case No.-88 Year-2022 Thana- BIKRAM District- Patna

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GUDDU KUMAR SON OF SRI ARUN SINGH R/O VILLAGE-
HADHSAR, WAZIRPUR, P.S.- BIKRAM, DISTRICT- PATNA, PIN- 801104

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pushpendra Priyedarshi, Advocate

For the Opposite Party/s : Mr. Jitendra Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 11-10-2022 Heard learned counsel for the petitioner and learned
counsel for the State.

Let the defect(s), if any, as pointed out by the office
be removed within four weeks.

The petitioner is an accused in connection with
Bikram P.S. Case No. 88 of 2022 under Sections 384 and 387
of the Indian Penal Code.

As per the FIR, a call came from Mobile No.
7970358084 to Mobile No. 7050883621 and the speaker on
other side informed that he is speaking from Beur Jail and made
a demand of Rs. 1 lakh failing which it was threatened that the
informant and his son will be killed. Subsequently, the
informant started recording the phone calls and from the same
number four times, the caller made the call and demanded



money. Further allegation is that the caller also made conferencing with this petitioner who also demanded the money. Accordingly, the FIR was lodged.

Learned counsel for the petitioner submits that only two mobile numbers, have come into picture one belonging to the person, Devendra Singh son of Suman Singh of village Shihi, P.S. Dulhin Bazar, District – Patna who is alleged to have been demanding ransom from Beur Jail and another number belonged to the informant. No third number has come on the record to show the implication of the petitioner in this case. It is his further submission that the petitioner do not have criminal antecedent and because of the false allegation, he has already suffered by being in custody since 05.03.2022 (as stated in paragraph-9 of the bail application).

Learned APP, on the other hand, opposes the prayer for bail.

Taking into account the averments made in the bail application as also the supplementary affidavit and the submissions put forward by the counsel for the petitioner coupled with the fact that the petitioner do not have criminal antecedent, no third phone number has been brought on record as submitted by the learned counsel for the petitioner, charge



sheet stands submitted and he is in custody since 05.03.2022, this Court is inclined to grant him privilege of bail.

If however, it is found that that the petitioner has criminal antecedent and/or any false statement has been made the bail order shall become infructuous.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of like amount each to the satisfaction of learned ACJM-VI, Danapur, Patna in connection with Bikram P.S. Case No. 88 of 2022, subject to the 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) 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/her bail bond by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences,



failing which the State shall be at liberty to take steps for
cancellation of his bail bonds;

(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 the bail bonds.

With the aforesaid observations, the bail application is
allowed.

(Rajiv Roy, J)

Jagdish/Neha-

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