

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56562 of 2021

Arising Out of PS. Case No.-39 Year-2019 Thana- KUTUMBA District- Aurangabad

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Anuj Kumar Ram @ Anuj Ram @ Jyant @ Pritam, S/o Rambrichh Ram, R/o village- Kanchanpur, Tola Pichhaliya, P.S.- Chhatarpur, District- Palamu (Jharkhand)

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Sanjay Kumar, Advocate

For the Opposite Party/s : Mr.Akhileshwar Dayal, APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

4 11-05-2022 Heard learned counsel for the petitioner and Mr. Akhileshwar Dayal, learned A.P.P. for the State.

Petitioner, in the present case, is seeking regular bail in connection with Kutumba P.S. Case No. 39 of 2019 registered for the offences punishable under Sections 386/387/34 of the Indian Penal Code and 17 of C.L.A. Act. He is in custody since 21.06.2021 having one criminal antecedent as stated in paragraph '3' of the application.

As per the prosecution story, the informant, who is the Mukhiya of the Gram Panchayat, has alleged that while he had received a call from mobile and the caller was identified as Area Commander namely, Anuj Ram (the petitioner) saying on mobile that he was earning a lot of money and demanded Rs. 50,000/-, he lodged the present F.I.R.



Learned counsel for the petitioner submits that petitioner has been falsely implicated in this case. Learned counsel submits that petitioner was arrested in connection with Chhatarpur P.S. Case No. 65/2020 under the Arms Act in Jharkhand and later on he has been remanded in the present case. However, he is in custody since 01.06.2020.

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

Having regard to the uncontroverted submission of the petitioner that in course of investigation no material has come to show that the petitioner is area commander of a banned organization and had demanded and threatened the informant if his demand of Rs. 50,000/- is not made and further on considering that prior to the present case the petitioner had no criminal antecedent, though he has been taken on remand in the present case on 01.06.2020 (as disclosed in paragraph 40 of the case diary) and at this stage he has remained in jail for about two years, there is no submission that the presence of the petitioner may not be secured in course of trial, therefore this Court directs release of the petitioner above named on bail on furnishing of bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the



satisfaction of learned C.J.M., Aurangabad, in connection with Kutumba P.S. Case No. 39 of 2019, subject to the condition as laid down under Section 437 (3) Cr.P.C.

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.

(Rajeev Ranjan Prasad, J.)

Rajeev/-

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

