

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47367 of 2022

Arising Out of PS. Case No.-164 Year-2022 Thana- PIPRAKOTHI District- East Champaran

SATYAM KUMAR SINGH Son of Santosh Kumar Singh R/v- Kanna, P.S-
Raxaul, Dist- East Champaran.

... .. Petitioner.

Versus

The State of Bihar

... .. Opposite Party.

Appearance :

For the Petitioner	:	Mr. Abhishek Kumar, Advocate.
For the State	:	Mr. Md. Mushtaque Alam, A.P.P.
For the Informant	:	None.

CORAM: HONOURABLE MR. JUSTICE A. M. BADAR
ORAL ORDER

2 16-12-2022 This is an application for releasing the applicant/accused on bail during the pendency of the trial. At the instance of First Informant Ram Ekbal Prasad Chaurasiya, Crime No.164 of 2022 for the offences punishable under Sections 385 and 387 of the Indian Penal Code is registered with Police Station-Piprakothi against the applicant as well as the co-accused.

Heard the learned counsel appearing for the applicant/accused, who vehemently argued that SIM No.9128117239 from which a telephonic call demanding ransom was made to the First Informant was never seized from the applicant. However, the learned trial Court erroneously held that the said SIM was recovered from the applicant and that is how, his bail application came to be rejected despite filing of the charge-sheet. My attention is drawn to the Seizure Memo dated 01.06.2022 to demonstrate that only one mobile



phone came to be seized from the applicant.

The learned A.P.P. opposed the application by contenting that the crime in question is serious. None appeared for the First Informant.

I have considered the submissions so advanced. Averment in the F.I.R. is to the effect that the First Informant has received the call from the mobile number given in the F.I.R. demanding ransom of Rs.5 lacs. A Statement has been made at the Bar that the SIM of this mobile was never seized from the applicant. That statement is accepted. The Seizure Memo shows that only one mobile phone was seized from the applicant. The learned trial Court has also observed that it was co-accused Raushan Sahani, who had demanded ransom from the First Informant even subsequent to the date of the registration of the crime in question. The applicant seems to be a student undergoing course in engineering. The charge-sheet has been filed. In this view of the matter, the following orders:

(i). The application is allowed.

(ii). The applicant/accused in Crime No.164 of 2022 registered with Police Station-Piprakothi for the offences punishable under Sections 385 and 387 of the Indian Penal Code, be released on bail on executing P.R. bond of Rs.10000/-(Rupees Ten Thousand) and on furnishing surety of the like amount to the satisfaction of the trial court with the following conditions:

(I). The applicant should not extend any threat, promise or inducement to the persons acquainted with the facts of



the accusation against him so as to dissuade him from disclosing such facts to the Court or to any police officer.

(II). The applicant should cooperate the trial in expeditious disposal of the trial against him.

(III). The applicant should not tamper prosecution evidence in any manner.

(IV). The applicant should not repeat commission of similar offence in future and if he is found to be involved in commission of similar offence, the State is at liberty to apply for cancellation of bail granted to the applicant in the instant case.

(A. M. Badar, J)

P.S./-

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