

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34037 of 2021

Arising Out of PS. Case No.-244 Year-2020 Thana- NARHATT District- Nawada

GAUTAM KUMAR @ GAUTAM SINGH Son of Jitendra Singh Resident of
Village - Narhat, P.S.- Narhat, Distt.- Nawadah.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 60929 of 2021

Arising Out of PS. Case No.-244 Year-2020 Thana- NARHATT District- Nawada

GINA @ BHOLU @ SHIVSHANKAR Son of Late Manoj Kumar Resident of
Village - Jhikarua, P.S.- Narhatt, Distt.- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 34037 of 2021)

For the Petitioner/s : Mr.Arun Kumar, Adv

For the Opposite Party/s : Mr.A.P.P.

(In CRIMINAL MISCELLANEOUS No. 60929 of 2021)

For the Petitioner/s : Mr.Amit Kumar Anand, Adv

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

6 16-05-2022 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 petitioners and the learned A.P.P. for the State.

The petitioners seek bail in a case registered for the



offence under Sections 341, 342, 364, 406, 420, 504, 506, 34 of the Indian Penal Cod and Section 27 of Arms Act.

The prosecution case, in short, is that the petitioners alongwith others were involved in committing offence of abduction for ransom. The informant was also involved in the acts of ATM fraud.

Learned counsel appearing for the petitioners submits that petitioner-Gina @ Bholu @ Shivshankar has clean antecedent. Petitioner-Gautam Kumar @ Gautam Singh carries nine more cases other than the present one. He further submits that it appears from the FIR that the petitioners have not received any amount as mentioned in the FIR. He further submits that it appears from the FIR itself that the amount in question was credited in the account of Raju Sharma, Parvindra Rajwanshi and Vinay Kumar and the petitioners have falsely been implicated in the present case only on the basis of suspicion. He further submits that it appears from the FIR itself that the informant was also involved in the ATM fraud cases. He further submits that the police, after investigation, submitted chargesheet against the petitioners and during investigation, nothing has come against the petitioners and petitioner-Gina @ Bholu @ Shivshankar is in custody since 08.03.2021 and



petitioner-Gautam Kumar @ Gautam Singhis in custody since 12.01.2021.

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

Considering the facts and circumstances of the case, let the petitioners, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending in connection with Narhat P.S.Case No. 244 of 2020 with the following conditions:-

(1) Petitioners 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 their absence on two consecutive dates without sufficient reason, their bail bonds shall be cancelled by the Court below.

(2) If the petitioners tamper 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 petitioners and in case at any stage, it is found that the petitioners have concealed their



criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioners. 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)

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