

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.59436 of 2022**

Arising Out of PS. Case No.-241 Year-2022 Thana- LALIT NARAYAN UNIVERSITY
District- Darbhanga

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Ganesh Mahto S/o Late Thakko Mahto R/V- Sara Mohanpur, P.S.- Sadar,
Distt- Darbhanga.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s	:	Mr. A. K. Thakur, Advocate Ms. Vaishnavi Singh, Advocate
For the Opposite Party/s :		Mr. Akhileshwar Dayal, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 23-12-2022 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 University i.e. L.N.M.U. P.S. Case No. 241 of 2022 dated 15.07.2022 registered for the offences punishable under Sections 364/34 of the Indian Penal Code. He is in custody since 16.07.2022. The petitioner has got no criminal antecedent.

Learned counsel for the petitioner submits that as per the prosecution story, one Anjana Kumari alleged that on 14.07.2022, her husband went to his clinic as usual but at 12:45 P.M. when she tried to contact him on phone, her call was not picked up. When she along with her mother and brother reached



the clinic, it was found closed and after enquiry from nearby people she came to know that her husband was assaulted by people of village Sara Mohanpur and took him in unconscious condition. When the mother and brother of the informant went to the house of co-accused Suresh Sah, they were asked to give Rs. 10,00,000/- to release the husband of the informant.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. It is submitted that the petitioner has no criminal antecedent and he is in custody in connection with this case since 16.07.2022.

It is further submitted that the husband of the informant and her Dewar have collected huge money on account of providing job to several persons which they have failed to return and only to get rid of the payment for refund of the money, the present case has been lodged. It is further submitted that after the alleged abduction of the husband of the informant, no ransom was demanded either by the petitioner or any other co-accused rather it was the informant and her mother and brother of the informant who allegedly went to the place where the husband of the informant was kept and then it is alleged that the demand was made and further the wife of the



petitioner has also filed one SC/ST P.S. Case No. 40 of 2022 against the husband of the informant.

Mr. Akhileshwar Dayal, learned APP for the State is present and has opposed the prayer for regular bail of the petitioner.

Having regard to the facts and circumstances of the case wherein learned counsel for the petitioner has submitted that in fact, the husband of the informant and her Dewar have collected huge money on account of providing job to several persons which they have failed to return and only to get rid of the payment for refund of the money, the present case has been lodged, the submission being that it is strange to say that after the alleged abduction of the husband of the informant, no ransom was demanded either by the petitioner or any other co-accused rather it was the informant and her mother and brother of the informant who allegedly went to the place where the husband of the informant was kept and then it is alleged that the demand was made, the wife of the petitioner has also filed one SC/ST P.S. Case No. 40 of 2022 against the husband of the informant, this petitioner has no criminal antecedent and has remained in custody since 16.07.2022, investigation against him is complete and at this stage, there is no submission on behalf of



the State that his release is likely to result in tampering with the evidence or interfering with the course of trial, this Court directs that the petitioner above named be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-VIII, Darbhanga in connection with University i.e. L.N.M.U. P.S. Case No. 241 of 2022, 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 steps 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)

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