

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71712 of 2021**

Arising Out of PS. Case No.-481 Year-2021 Thana- SITAMARHI District- Sitamarhi

RAVI KUMAR Son of Vishnu Mandal R/o Mohalla - Mandal Nagar, Janki
Asthan, Ward No. 5, P.S. and District - Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Jha

For the Opposite Party/s : Mr.Ashok Kumar

**CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER**

3 29-09-2022 Let the defect(s), as pointed out by the office, be
removed within a period of four weeks from today.

Heard learned counsel for the petitioner and
learned A.P.P. for the State.

The petitioner seeks bail in connection with
Sitamarhi P.S. Case No. 481 of 2021 registered for the offences
punishable under Sections 385 and 387 of the Indian Penal
Code.

As per prosecution case, informant received call
from mobile no. 8112671062 on his mobile by which caller
demanded then lacs rupees from him and gave threat to kill him
and his family members if demand would not be fulfilled.

Learned counsel for the petitioner submits that
petitioner is in custody since 02.08.2021. Petitioner bears one



criminal antecedent which is not similar to the present case. Charge sheet has already been submitted in the case and there is no likelihood of tampering with the prosecution evidence. Learned counsel further submits that petitioner is not named in the F.I.R. Name of present petitioner has been sprang up on the confessional statement of co-accused Aman Kumar. Demand was made from mobile bearing number 8112671062 issued in the name of one Md. Aslam Khan. Mobile does not belong to the petitioner. Co-accused Aman Kumar, who disclosed the name of present petitioner, has already been granted bail vide Cr. Misc. No. 13728 of 2022 by this Court and the case of present petitioner stands more or less on similar footing.

The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case as well as period of custody, charge-sheet has already been submitted and there is no likelihood of tampering with the prosecution evidence, argument advanced on behalf of the parties and also taking into consideration the material available on record, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of



learned C.J.M., Sitamarhi in connection with Sitamarhi P.S.
Case No. 481 of 2021, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission would be a ground for cancellation of bail by the learned Trial court itself.

(iii) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(iv) If the petitioner is found involved in similar nature of offences in future, the learned trial court shall be at liberty to cancel his bail bond.

(Alok Kumar Pandey, J)

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