

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13894 of 2023

Arising Out of PS. Case No.-930 Year-2022 Thana- DANAPUR District- Patna

Abhinandan Kumar, Son of Ramakant Ray @ Ramakant Rai R/v- Manserpur,
P.S.- Balia, District- Begusarai

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Madhav Raj

For the Opposite Party/s : Mr. Sunil Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

3 29-05-2023 Heard Ld. counsel for the petitioner and Ld. APP
for the State.

The petitioner seeks bail in connection with
Sessions Trial No. 1423 of 2022, arising out of Danapur P.
S. Case No. 930 of 2022, registered for the offences
punishable under Sections 365, 364, 377 and 120B of the
Indian Penal Code.

The prosecution case as emerges from the FIR is
that when the informant and his brother, Navneet Prakash
were in their house, two persons came and forcefully took
away his brother. The further allegation is that the father of
the informant was the guarantor of Rs. 15 Lakhs which was



given to one Manish by Rajnish @ Abhishek, Sanjay, Ravi and Raunak. Out of which, she returned 7 lakhs and a cheque of Rs. 11 Lakhs was also given. It is further alleged that on account of non-refund of the amount, Navneet Prakash was taken away.

Ld. counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He further submits that the petitioner is not named in the F.I.R. and his name transpires during the course of investigation. He also submits that investigation in this case is complete and charge-sheet has already been submitted. He further submits that the whole case against the petitioner is based on suspicion.

He further submits that the petitioner has been languishing in jail since 02.09.2022.

It has also been stated in paragraph no. 3 of the bail petition that the petitioner has no criminal antecedents.

It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one.



However, Ld. APP for the State vehemently opposes the prayer of the petitioner for bail.

Considering the aforesaid facts and circumstances, **this application is allowed**, directing the petitioner, above-named, to be enlarged on bail on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Ld. Additional Sessions Judge VI, Danapur, in connection with Sessions Trial No. 1423 of 2022, arising out of Danapur P. S. Case No. 930 of 2022 on the following conditions:

(i) The petitioner will make himself available for interrogation by a police officer/court as and when required.

(ii) The petitioner will undertake that investigation/trial will not get hampered on account of his absence or non-cooperation. He must be available to the police or the court whenever his presence is required.

(iii) The petitioner shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police



officer.

(iv) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedents, Ld. court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(v) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, Ld. court below shall cancel the bail bonds of the petitioner.

Ld. counsel for the petitioner is directed to remove all the defects, if any, pointed out by the office within a period of one month and the Registry is directed to issue the certified copy of this order only after removal of office objections.

(Jitendra Kumar, J)

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