

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31479 of 2023

Arising Out of PS. Case No.-56 Year-2021 Thana- GAMAHARIYA District- Madhepura

BANDHAN KUMAR @ RANJAN KUMAR @ RANJAN son of Sri
Janardan Yadav Resident of Village- Itahara, P.S. Saur Bazar, District-
Saharsa Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Diwakar Prasad Singh, Advocate

For the Opposite Party/s : Ms. Sangeeta Sharma, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 07-07-2023 Heard the parties.

The petitioner is in custody in connection with Gamhariya P.S. Case No. 56 of 2021 for the offence under Sections 392 of the Indian Penal Code lodged on 07.04.2021 by the informant, Md. Shamshad.

The prosecution case, in brief, is that the informant was proceeded from Darbhanga to Singheshwar Hat and during this period unknown persons came to chase him with blue colour Yamaha FZS motorcycle and stopped him showing the pistol. They hit him on his temple with the butt of pistol and demanded Rs. 50,000/- which the informant gave to him and also took his mobile and fled away from there towards Singheshwar. Accordingly, the F.I.R.

The contention of the learned counsel for the petitioner is that he was remanded in the present case on 13.08.2021 (as stated in para 14 of the petition) and forced to



make confessional statement as also made him to accept his involvement in many other cases which reflects in paragraph 3 and further no T.I. Parade was conducted and he is languishing in jail. It has been further submitted that some of the similar placed accused namely Ravishankar Kumar @ Ravi Kumar and Ashish Kumar have been granted bail vide Cr. Misc. No. 11032 of 2022 and Cr. Misc. 44885 of 2022 respectively.

Learned APP submits that he himself has confessed about his complicity in the matter and as such opposes the prayer for bail.

Considering the aforesaid submissions as also that the petitioner has remained in custody for almost two years i.e. from 13.08.2021, no T.I. Parade has been conducted and as stated above, some of the accuseds have been granted bail, this Court is inclined to extend him the privilege of bail with conditions.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned J.M. 1st Class at Madhepura, in connection with Gamhariya P.S. Case No. 56 of 2021 subject to the following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show



his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month till trial to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

With the aforesaid observations, the application is allowed.

(Rajiv Roy, J)

Jagdish/kiran/-

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