

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39300 of 2023

Arising Out of PS. Case No.-281 Year-2022 Thana- KADAMKUAN District- Patna

Deepak Kumar @ Chhotu @ Chamru Son Of Late Durga Das Resident Of
Fiyar Field Colony, Bank Kothi Road, P.S. - Digha, District - Patna

... .. Petitioner/s

Versus

The State Of Bihar, Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sarvan Kumar, Advocate

For the Opposite Party/s : Mr. Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 01-08-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. Learned counsel for the petitioner is permitted to
remove the defect(s), as pointed out by the office, if any, within
a period of four weeks from today.

3. Petitioner seeks bail who is in custody since
09.06.2022 in connection with Kadam Kuan P.S. Case No. 281
of 2022, F.I.R. dated 07.06.2022 for the offences punishable
under Sections 387, 120B/34 of the Indian Penal Code.

4. According to prosecution case, this petitioner along
with other accused persons have demanded Rs. 25,000/- to Rs.
30,000/- as extortion money from the informant and also
threatens him of dire consequences if he fails to do so.

5. Learned counsel for the petitioner submits that



petitioner is innocent and he has falsely been implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offences as alleged in the F.I.R. He further submits that the allegation of demand of ransom is against the co-accused, namely, Bhawani Tiwari and the only allegation against the petitioner is that on the request of Bhawani Tiwari, he has gone to the house of the informant for receiving the ransom amount and threatens the informant of dire consequences if he fails to pay the ransom amount. He further submits that no ransom was paid to anyone and it is admitted fact that the petitioner has never demanded any ransom from the informant. He further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 09.06.2022.

6. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner on the ground that petitioner carries four criminal antecedents other than the present one but fairly submits on the basis of paragraph 3 of the bail petition that the petitioner is on bail in all the four cases.

7. Considering the aforesaid facts and circumstances



and the period of custody, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate X, Patna in connection with Kadam Kuan P.S. Case No. 281 of 2022, subject to the following conditions:-

1. Petitioner 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 his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. 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.

3. 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 step 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.

(Rajesh Kumar Verma, J)

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