

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56085 of 2022

Arising Out of PS. Case No.-231 Year-2022 Thana- PATLIPUTRA District- Patna

SAURABH KUMAR @ SAURAV KUMAR @ SAURABH KUMAR
THAKUR Son of Rabindra Kumar Thakur Resident of Mohalla Neem
Pokhar, Kadirabad, P.S.- University, District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 59338 of 2022

Arising Out of PS. Case No.-231 Year-2022 Thana- PATLIPUTRA District- Patna

RAHUL KUMAR Son of Krishn Nandan Thakur Resident of Mohalla- New
Colony, Opposite New Madona Eng School, Katholbari Chawk, P.O- Lalbag
Darbhanga, P.S- L.N.M.U Campus, Dist- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 60200 of 2022

Arising Out of PS. Case No.-231 Year-2022 Thana- PATLIPUTRA District- Patna

KESHAV KUMAR @ SONU Son of Biresh Kumar Sharma R/v- Muradpur,
P.S.- Dumra, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 56085 of 2022)

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

For the Opposite Party/s : Mr.Rajiv Nayan, APP

(In CRIMINAL MISCELLANEOUS No. 59338 of 2022)

For the Petitioner/s : Mr.Ajay Kumar Thakur 2, Advocate

For the Opposite Party/s : Mr.Navin Kumar Pandey, APP

(In CRIMINAL MISCELLANEOUS No. 60200 of 2022)

For the Petitioner/s : Mr.Dinesh Jha, Advocate

For the Opposite Party/s : Mr.Uma Shankar Prasad Singh, APP



CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 27-02-2023 Heard learned counsel for the petitioners and the learned A.P.P. for the State in these applications.

The petitioners seek bail in a case registered for the offence under Sections 364 and 365 of the Indian Penal Code.

As per the prosecution story, the informant alleged that his brother was Director of a private company which appoints petty contractors for wall painting advertisement for Prohibition of liquor, installation of smart meter etc. On 26.04.2022, the co-accused Rakesh Kumar @ Rakesh Kumar Riv @ Rakesh Kumar Ravi called his brother at Patliputra station. When he went with his motorcycle and later on the informant received a call from his brother in the evening that he is under captivity and the accused persons are demanding Rs. 4 lacs. Later, he received a call from his brother mobile number where one Rahul stated that Rs. 4 lacs be sent in the name of his brother, which they are demanding. Accordingly, FIR was lodged.

Learned counsel appearing for the petitioners submits that the petitioners have clean antecedent. They have falsely been implicated in the present case due to previous dispute. He further submits that petitioner Saurabh Kumar @ Saurav Kumar



@ Saurabh Kumar Thakur and petitioner Keshav Kumar @ Sonu are not named in the FIR and petitioner Rahul Kumar and other co-accused persons are named in the FIR. Further submits that there is no specific allegation against these petitioners and the statement of the victim under Sections 161 and 164 Cr.P.C. was recorded and both the statements of the victim are contradictory in each other and co-accused person, namely, Rakesh Kumar @ Rakesh Kumar Riv @ Rakesh Kumar Ravi, allegation against whom, he called the victim, has already been granted privilege of anticipatory bail vide order dated 04.02.2023 passed in Cr. Misc. No. 58302 of 2022 by a Coordinate Bench of this Hon'ble Court and the police, after investigation, submitted chargesheet against the petitioners and the petitioners are in custody since 28.04.2022.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioners.

Considering the facts and circumstances of the case, let the petitioners, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending in connection with Patliputra P.S. Case No. 231 of 2022 with the following



conditions:-

(1) Petitioners 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 their absence on two consecutive dates without sufficient reason, their bail bonds shall be cancelled by the Court below.

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

And, further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioners. 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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