

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56339 of 2022

Arising Out of PS. Case No.-195 Year-2021 Thana- SHAMBHUGANJ District- Banka

Bihari Kumar Singh Son of Rajesh Singh Resident of Suiya Raod, near
Vodafone Tower, Katoria, P.S- Katoria Dist- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Jha, Adv.

For the Opposite Party/s : Mr. Ramesh Chandra, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 15-02-2023 Let the defect(s), if any, be removed within two weeks
from today.

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

The petitioner seeks regular bail in connection with
Shambhuganj P.S. Case No. 195 of 2021 lodged under Sections
364(A) /34 of the I.P.C.

As per the prosecution case, 6 unknown miscreants
had abducted the son of the informant and started demanding
Rs. 70 lakhs ransom amount for releasing his son. Counsel
submits that petitioner was falsely implicated in this case. He
also submits that petitioner has only one antecedent under
Section 365 /394 of the I.P.C. in which he is on bail.

Learned counsel further submits that he is not named

in the F.I.R. but his name has figured in this case when the mobile of the petitioner was kept on surveillance then only his mobile no. was also identified. Counsel submits that the statement under Section 164 of Cr.P.C. has taken place in which his name has not figured expressly and only on suspicion, his name has come in this case.

Learned counsel further submits that the co-accused of this case has been granted bail by the Co-ordinate Bench of this Court vide order dated 12.08.2022 passed in Cr. Misc. No. 21782 of 2022.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. IV, Banka in connection with Shambhuganj P.S. Case No. 195 of 2021, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioner shall support in trial and shall appear physically before the lower court on each and every date

fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall be resulted into cancellation of his bail bond.

B. One of the bailors shall be close relative who shall file affidavit before the court about his relationship with the petitioner.

C. The petitioner shall file an affidavit at the time of furnishing of bail bond that he shall not involve in such criminal activity during the continuance of present bail bond, violation of this condition shall be resulted into cancellation of his present bail bond.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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