

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64254 of 2023

Arising Out of PS. Case No.-384 Year-2022 Thana- BUNIYAD GANJ District- Gaya

VIKASH KUMAR Son of Upendra Mehta Resident of Mohalla-Manpur,
Sonar Toli, P.S.-Muffasil, District-Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Priya Ranjan, Adv

For the Opposite Party/s : Mr.Akshay Lal Pandit, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 06-12-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Buniyadganj P.S. Case No. 384 of 2022 registered on
18.11.2022 lodged under Sections 386, 34 of the I.P.C.

3. As per the prosecution case, F.I.R. has been lodged
against five named accused persons including the petitioner.
The informant (S.I.) has lodged the F.I.R. indicating that all the
accused person were trying to demand ransom from the business
person but due to fear, they are even not ready to lodged the
F.I.R.

4. Counsel further submits that petitioner is innocent
and has committed no offence. He further submits that petitioner
is in custody since 19.06.2023 having four criminal case



pending against him. He submits that the F.I.R., has been lodged merely on suspicion.

5. Learned counsel for the State opposes the prayer for bail and submits that antecedent of the petitioner is not clean. Therefore, this aspect shall also be taken at the time of granting bail.

6. Upon specific query of the Court that whether charge has been framed or not, counsel submits that as per his knowledge charge has been framed.

7. 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 ACJM VIII, Gaya in connection with Buniyadganj P.S. Case No. 384 of 2022, subject to the following conditions as well as the conditions laid down under Section 437 (3) of the Cr.P.C.

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his *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 bonds by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month for one year to mark attendance;

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

(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 the bail bonds.

Petitioner is also directed to produce the certificate before the Trial Court that he is not absconding in any cases mentioned herein below:

- *Muffasil P.S. Case No. 394 of 2020*
- *Muffasil P.S. Case No. 154 of 2021*
- *Muffasil P.S. Case No. 165 of 2021*
- *Muffasil P.S. Case No. 253 of 2023.*

8. Speedy trial is constitutional vision of justice and with a view to fulfill that reason of the constitution, it is directed to District and Sessions Judge, Gaya to do the needful so that all the cases which is of same police station is triable by Magistrate shall run before the Magistrate and if triable by Sessions Judge is shall run before one Sessions Court.



9. With this observation, the bail application stands
allowed.

(Dr. Anshuman, J)

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