

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62879 of 2022**

Arising Out of PS. Case No.-75 Year-2022 Thana- MANSURCHAK District- Begusarai

Ram Pravesh Das @ Ram Pravesh Kumar, Son of Sonelal Das, Resident of
Village- Ahiyapur, P.S.- Mansoorchak, District- Begusarai

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Raj Kumar Sinha, Advocate

For the Opposite Party/s : Ms. Sharda Kumari, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER**

2 25-02-2023 Heard learned counsel appearing on behalf of the

petitioner and learned Additional Public Prosecutor for the

State.

The petitioner seeks bail in connection with
Mansoorchak P.S. Case No.75 of 2022 registered for the
offences punishable under Sections 363 and 365 of the Indian
Penal Code.

The petitioner/accused is named in the first
information report and is in custody since 19.08.2022.

As per the case of the prosecution, petitioner and son
of the informant both were kidnapped by unknown miscreants
due to non-payment of due amount arises out of illegal excise
activities, where petitioner rescued himself after paying
Rs.30,000/- to other co-accused persons, where dead body of the



son of the informant was found in river Ganga after twenty day of the occurrence. It is alleged that the son of informant was called from home by this petitioner.

Learned counsel appearing on behalf of the petitioner submitted that save and except the allegation that petitioner called son of the informant from his house, no other incriminating material surfaced during the course of investigation which may connect the petitioner with the present occurrence of kidnapping and murder. It is further submitted that even the petitioner is appearing the victim of circumstances, who himself got rescued after paying Rs.30,000/- to other co-accused persons where dispute is related with prohibited activities of excise and fiscal benefit arises out of that. While concluding the argument, it is submitted that petitioner is a man of clean antecedent and moreover, investigation of this case has been completed, for which the charge-sheet has been submitted. As such, there is no chance of tampering with the evidence.

Learned APP opposed the prayer for grant of bail to the petitioner.

In view of the above-mentioned facts and circumstances as save and except the allegation that petitioner called son of the informant from his house, nothing



incriminating surfaced during the course of investigation to connect petitioner, prima facie, with present occurrence of kidnapping and murder, coupled with the fact that charge-sheet has already been submitted, the petitioner is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate-1st Class-cum-Additional Magistrate, Begusarai in connection with Mansoorchak P.S. Case No.75 of 2022, subject to the conditions as mentioned under Section 437(3) of the Code of Criminal Procedure.

(Chandra Shekhar Jha, J.)

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