

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 70768 of 2023

Arising Out of PS. Case No.-306 Year-2023 Thana- JAGDISHPUR District- Bhagalpur

ANAND KUMAR SAH SON OF LATE ASHOK SAH VILLAGE-
GANESHPUR, TINPULIA, PS- JAGDISHPUR (BYPASS), DIST-
BHAGALPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vaishnavi Singh, Adv
For the Opposite Party/s : Mr.Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 09-11-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with Jagdishpur (Bypass) P.S. Case No. 306 of 2023 registered on 07.07.2023 lodged under Sections 386, 341, 323, 506 of I.P.C.

3. As per the prosecution case, F.I.R. has been lodged against the petitioner alleging that he demanded ransom and also snatched 20,000/- from the informant with threat to provide 25 lakhs within two days otherwise he would kill the informant.

4. Counsel further submits that petitioner is innocent and has committed no offence. He further submits that informant is broker of land and earlier and on wrong pretext, he



entered into the agreement but upon getting informant that the said land is not proper, he has refunded the amount to the petitioner and other person to whom he entered into an agreement. Counsel further submits that petitioner is in custody since 08.07.2023 having eight criminal case pending against him, in which he is on bail.

6. Learned counsel for the State opposes the prayer for bail.

7. Learned counsel for the informant has vehemently opposed the prayer for bail and submits that the allegation of taking Rs. 20,000/- near showroom and demand of Rs. 25 Lakhs is there in the F.I.R. moreover, the antecedent of the petitioner is not clean. Therefore, he has apprehension that once he comes out, he may commit crime.

8. From perusal of records, it transpires that both petitioner and informant are involved in the selling of the land and due to which the dispute has occurred.

9. 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 Chief Judicial Magistrate,



Bhagalpur in connection with Jagdishpur (Bypass) P.S. Case No. 306 of 2023, 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.

10. However, the informant is at liberty to file cancellation of bail bonds in case any awkward situation/crime is being created or done by the petitioner.



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

(Dr. Anshuman, J.)

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