

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68134 of 2023

Arising Out of PS. Case No.-109 Year-2020 Thana- SIKTI District- Araria

BIJAY RATHORE SON OF LATE MAHANAND RATHOR @ GAFFU
YADAV RESIDENT OF VILLAGE - BIRI BHOJPUR, P.S. - TARABARI,
DISTRICT - ARARIA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kishore Bharti, Adv
For the Opposite Party/s : Mr.Prem Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 18-10-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Sikty (Bardaha) P.S. Case No. 109 of 2020 registered on
07.06.2020 lodged under Sections 384, 386 of the I.P.C.

3. As per the prosecution case, F.I.R. has been lodged
against two named accused persons including the present
petitioner. The allegation against the petitioner is that he
demanded ransom of Rs. 50,000/- from the informant on his
mobile.

4. Counsel for the petitioner submits that the case has
been filed after one year. The delay in filing the F.I.R. is due to
fear as alleged in the F.I.R. Counsel further submits that ransom



was alleged to be taken place one year before. For this, no date has been mentioned nor any earlier information was there. He submits that due to political rivalry, the present case has been instituted, as the brother of the petitioner has contested the election of Member of Parliament. With a view to teach lesson to the opponent, petitioner's name is instituted in the present case.

5. Counsel further submits that petitioner is innocent and has committed no offence. He further submits that petitioner is in custody since 30.09.2020 having eighteen criminal case pending against him, in which he is on bail. But in the present case, no offence is made out.

6. Learned counsel for the State opposes the prayer for bail and submits that there is specific allegation upon the petitioner of demanding ransom amount.

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 Judicial Magistrate, 1st -Class in connection with Sikty (Bardaha) P.S. Case No. 109 of 2020 subject to the following conditions and 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.

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

(Dr. Anshuman, J)

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