

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70595 of 2022

Arising Out of PS. Case No.-181 Year-2022 Thana- CHAKAI District- Jamui

DILIP KUMAR DAS S/O Surendra Das R/O Village- Navadih, P.S- Chakai,
District- Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Akash Raj, Advocate
For the Opposite Party/s : Mr.Mohammed Arif, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

6 31-07-2023 Heard learned counsel appearing for the petitioner
and the learned A.P.P. for the State.

2. The petitioner seeks bail, who is in custody since
04.08.2022 in connection with Chakai P.S. Case No. 181 of
2022, F.I.R. dated 03.08.2022 registered for the offence
punishable under Sections 385 and 387 of IPC.

3. The FIR of the occurrence of demand of ransom
is against unknown.

4. Learned counsel appearing for the petitioner
submits that the petitioner has falsely been implicated in the
present case. Petitioner is not named in the FIR. The FIR has
been lodged against the holder of Mobile No.9934926831.
Learned counsel for the petitioner submits that the petitioner



is not the holder of the Mobile No.9934926831 in question and he has no concern at all with the alleged occurrence and except the confessional statement of the petitioner and the co-accused person, no other material has during investigation against the petitioner to suggest the involvement of the petitioner in the present occurrence and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 04.08.2022.

5. Learned A.P.P. for the State, on the other hand, on the basis of the material available on the record and the case diary has vehemently opposed the prayer for bail of the petitioner and submits that the SIM of the Mobile No.9934926831 has been recovered from possession of the petitioner and the petitioner carries one more case other than the present one and the petitioner is on bail in the said case, as mentioned in para-3 of the supplementary affidavit.

6. Considering the aforesaid facts and period of custody, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Jamui in connection with Chakai P.S. Case No. 181 of 2022, with the following



conditions:-

(I) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(II) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(III) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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