

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73607 of 2022

Arising Out of PS. Case No.-81 Year-2014 Thana- RAJEPUR District- East Champaran

Arjun Kumar @ Arjun Kumar Rai, Son of Brahmdeo Rai, Resident of Village- Shobhitapur, P.S.- Rajepur, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Karandeep Kumar, Advocate

For the Opposite Party/s : Mr.Anil Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 21-03-2023 Heard learned counsel appearing on behalf of the petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period of four weeks from today.

The petitioner seeks bail in connection with Rajepur Nagar P.S. Case No. 81/2014, registered for the offence under Section 387/34 of the I.P.C. and Section 27 of the Arms Act.

The accused/petitioner is not named in the F.I.R. and is in custody since 28.06.2022.

The allegation against the petitioner is to demand a ransom of Rs. 10 lacs by making a call on the mobile phone of one Lal Babu Kumar, who is brother of informant having mobile no. 7250133776.

Learned counsel appearing on behalf of the petitioner



submitted that name of petitioner surfaced on the basis of confessional statement of co-accused, namely, Roushan Rai @ Roushan Kumar Yadav, in furtherance of which, no incriminating material recovered/surfaced which may connect petitioner, *prima facie*, with the present occurrence. It is also submitted that said co-accused Roushan Rai has already been granted bail by one of the co-ordinate Bench of this Court vide order dated 08.10.2015 passed in Cr. Misc. No. 20521 of 2015. It is also submitted that both mobile numbers, from which it is alleged to make a call to the brother of the informant as per CAF (Customer Acquisition Form) and CDRs (Call Detail Records) belongs to one Raj Kumar and not to this petitioner. While concluding the argument, it is submitted that petitioner found involved in three more cases, where he is on bail and moreover, investigation of this case is completed, for which charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP opposes the prayer of bail.

Considering the facts and circumstances as mentioned above and by taking note of the fact as alleged mobile numbers not belongs to petitioner as per CAF (Customer Acquisition Form) and CDRs (Call Detail Records), let the petitioner, above



named, is directed to be released on bail in connection with Rajpur Nagar P.S. Case No. 81/2014, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Sikarhana, Dhaka, East Champaran/concerned court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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