

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8815 of 2024

Arising Out of PS. Case No.-86 Year-2021 Thana- NIRMALI District- Supaul

Jagat Narayan Ram @ Jag Narayan Ram S/O SOHVEER RAM @
SAHUVVEER RAM VILLAGE- MAHTHOUR, PS. PHULPARAS, DIST.
MADHUBANI.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Hriday Narayan Harshit, Adv

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

6 31-07-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Nirmali P.S. Case No. 86/2021 lodged on 31.05.2021 under
Section 364/364A and 34 of the Indian Penal Code.

3. As per the prosecution case, F.I.R. has been lodged
against six named accused persons and other unknown accused
person in which petitioner is not named in the F.I.R., but charge-
sheet has been framed including the present petitioner to whom
there is allegation that he has kept the kidnapped person at his
house.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has committed no offence. Counsel also submits that in the case diary, it has come that petitioner has kept kidnapped person at his house but he submits that the factual matrix is something else. He submits that the accused person has come to his house, but petitioner opposed for keeping the victim at his house and this fact has also come in the case diary. Counsel further submits that the criminal antecedent of the petitioner is not clean and there is one case pending against him in which he is on bail which relates to the land dispute. The petitioner is in custody since 10.08.2023. Charge-sheet has already been filed. Counsel further submits that the accused Umesh Yadav against whom there is an allegation that the accused was kept at his house and on his statement only, mobile of the victim has been recovered has been granted bail by the co-ordinate Bench of this Court vide order dated 24.01.2024 passed in Cr.Misc. No. 384 of 2024.

5. Learned APP for the State opposes the prayer for bail.

6. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named by granted bail *after framing of charge, if the charge is not framed yet as well as on being satisfied by the trial Court that*



the petitioner is no absconding in Jhanjharpur P.S. Case No. 244 of 2020 and on furnishing bail bonds of Rs. 30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of Learned Court of ACJM-I Birpur, Supaul in connection with Nirmali P.S. Case No. 86/2021 subject to the condition laid down under Section 437(3) of the Cr.P.C. as well as the following conditions:

(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.

(Dr. Anshuman, J)

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