

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24688 of 2024

Arising Out of PS. Case No.-376 Year-2022 Thana- SHERGHATI District- Gaya

Ritik Paswan S/o Dukhan Paswan R/o Vill - Nadiyain, P.S. - Gurua, Dist. -
Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sudhir Kumar Sinha, Advocate

For the Opposite Party/s : Mr.Madhura Nand Jha, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

3 15-05-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Sherghati P.S. Case No. 376/2022 lodged on 18.05.2022 under
Sections 364A, 395 of the Indian Penal Code.

3. As per the prosecution case, the FIR has been
lodged against 7-8 unknown accused persons. It is alleged that
all the accused persons have got the truck of the informant
stopped and demanded Rs.10,0000/- as ransom.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. The
petitioner is not named in the FIR rather his name has figured in
the present case by virtue of confessional statement of co-
accused. Nothing incriminating has been recovered from the



possession of the petitioner nor the petitioner has been put on the Test Identification Parade. The petitioner is in custody since 18.12.2023 and is accused in one more criminal case. Moreover, other co-accused persons have been granted bail by different co-ordinate Benches of this Court vide order dated 25.01.2023, 22.05.2023 and 21.07.2023 passed in Criminal Miscellaneous No. 43363 of 2022, Criminal Miscellaneous No. 23515/2023 and Criminal Miscellaneous No. 13475 of 2023 respectively.

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

6. Upon specific query of the Court whether the charge has been framed or not, learned counsel for the petitioner submits that as per his knowledge, the charge has already been framed.

7. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named be released on bail, **but only after framing of charge, if not framed** and the trial Court on being satisfied that the petitioner is not absconding in Wazirganj P.S. Case No. 639/2022, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of ACJM-1st, Sherghati, Gaya, subject to the conditions as laid



down under Section 437(3) of the Code of Criminal Procedure with other 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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