

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24070 of 2024

Arising Out of PS. Case No.-62 Year-2023 Thana- SILAO District- Nalanda

Ramu @ Vikash Kumar S/O Ashok Kumar @ Ashok Yadav @ Gorelal Yadav,
R/O Village- Korai, P.S- Deepnagar, Distt.- Nalanda.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Ms. Vijaya Laxmi Srivastawa, Advocate

For the Opposite Party/s : Mr. Vinod Shanker Modi, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

8 22-11-2024 Heard Ms. Vijaya Laxmi Srivastawa, the learned
counsel for the petitioner and Mr. Vinod Shanker Modi, the
learned Additional Public Prosecutor for the State.

2. Petitioner seeks regular bail who is in custody since
05.12.2023, in connection with B.P. No. 13 of 2024, arising out
of Silaw P.S. Case No. 62 of 2023, FIR dated 22.02.2023,
registered for the offence punishable under Section 366(A) read
with Section 34 of the Indian Penal Code.

3. According to the prosecution case, six criminals
kidnapped the son of informant and demanded Rs. 25,00,000/-
(rupees twenty-five lakhs only) as ransom. The informant
deposited Rs. 2,500/- (rupees twenty-five hundred only) through
online mode to the mobile no. 8445892548 from which the
ransom call was made.



4. Learned counsel for the petitioner submits that petitioner is not named in the FIR and he has falsely been implicated in the present case. He further submits that although informant had deposited Rs. 2,500/- (rupees twenty-five hundred only) through online mode to the mobile no. 8445892548 and although, the aforesaid mobile number belongs to the petitioner, except the aforesaid no other cogent material has come during investigation to remotely connect the petitioner in the present occurrence. He further submits that name of the petitioner transpired on the basis of confessional statement of the co-accused person namely, Raushan Kumar. Thereafter, the petitioner confessed his guilt in the present occurrence. He further submits that the said Raushan Kumar has been granted bail by this Court vide order dated 07.08.2023 passed in Cr. Misc. No. 34487 of 2023. He lastly submits that the police after investigation has submitted the charge sheet against the petitioner after charge has been framed against the petitioner and other co-accused persons on 30.07.2024 and the petitioner is in custody since 05.12.2023.

5. The learned Additional Public Prosecutor for the State on the other hand has vehemently opposed the prayer for bail of the petitioner and submits that the mobile phone which



was used in the crime in question has been recovered from the possession of the petitioner. Apart from that, the petitioner carries twelve criminal antecedents other than the present one. However, he fairly submits on the basis of supplementary affidavit that petitioner is on bail in all the pending twelve cases.

6. Considering the aforesaid facts and circumstances and mainly the facts that petitioner is not named in the FIR and similarly situated co-accused person has been granted bail, let the petitioner, above-named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten Thousand only) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Biharsharif at Nalanda, in connection with **Silaw P.S. Case No. 62 of 2023**, subject to the following conditions:

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

(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 learned trial Court 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 learned trial Court 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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