

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29029 of 2024

Arising Out of PS. Case No.-260 Year-2023 Thana- MOUZA HIDPUR District- Bhagalpur

Vikash Kumar @ Vikash Sah Son of Late Ashok Sah @ Ashok Sah Resident
of Mohalla- Ganeshpur Tinpuliya, P.S.- Bypass, District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mrs. A.K. Thakur, Adv. Mr. Vaishnavi Singh, Adv.
For the Opposite Party/s :		Mr. Kalyan Shankar
For the informant;		Mr. Binit Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 26-04-2024 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the informant

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 385, 387, 504, 506, 447, 341 and 34 of the Indian Penal Code.

3. Allegation against the petitioner is that he demanded ransom of Rs. 20 lacs and gave dire consequences to the informant. He was identified on the basis of CCTV footage.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case due to existing land dispute between the parties. The demand of ransom has not been executed. Nothing consistent material has come against the



petitioner to show his complicity in the present case. Only on the basis of CCTV footage, petitioner has been dragged in this case. Exactly similarly situated other accused person has already been enlarged on bail by this Court vide order dated 7.2.2024 passed in Cr. Misc. No. 3994 of 2024. Moreover, he is languishing in judicial custody since 28.12.2023.

5. Learned APP appearing for the state and learned counsel for the informant have opposed the prayer of regular bail and submitted that petitioner has fourteen criminal antecedents.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail **after framing of charge if the charge is not framed** in connection with Mojahidpur (Babarganj) P.S. Case No. 260 of 2023 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, Bhagalpur with following conditions:-

(i) Petitioner shall co-operate in the trial and shall be present on each and every fixed date and on his absence on two



consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

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

(iii) In case, the petitioner repeats offence of similar nature after enlargement on bail, his bail-bonds will be cancelled by the Court below.

(Sunil Kumar Panwar, J)

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