

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26577 of 2024

Arising Out of PS. Case No.-116 Year-2023 Thana- BHAGWANPUR District- Vaishali

RAVI KUMAR @ RAUKI SON OF SATYA NARAYAN SAH RESIDENT
OF VILLAGE - KIRANTPUR RAJA RAM, P.S. - BHAGWANPUR,
DISTRICT - VAISHALI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Aniket Singh, Advocate

For the Opposite Party/s : Mr.Arun Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 21-06-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in judicial custody in connection with Bhagwanpur P.S. Case No. 116 of 2023 registered under Sections 341, 323, 363 and 364(A) of the Indian Penal Code lodged on 14.05.2021 by the informant, Kaushal Ali.

3. As per the prosecution story, the informant received mobile calls stating that his brother is under custody and if they want him alive, to pay Rs. 50,000/-. They went to Goraul and had conversation with the kidnappers. Left with no option, the FIR.

4. Earlier prayer for bail of the petitioner was rejected vide an order dated 22.08.2023 passed in Cr. Misc. No. 53148 of



2023.

5. Learned counsel for the petitioner submits that he has already suffered by being in custody since 18.05.2023 (as stated in paragraph-11 of the petition). Though he has criminal antecedent but if granted bail, he will be diligently appearing in the trial. He further submits that similar placed co-accused has since been extended the privilege of bail vide order dated 02.01.2024 passed in Cr. Misc. No. 82557 of 2023 (Vivek Gautam Vs. The State of Bihar) by a co-ordinate Bench of this Court.

6. Learned APP opposes the prayer submitting that he has criminal antecedent.

7. Taking into account the aforesaid facts as also the period of custody and one of the accused has since been granted bail, FIR lodged and he will be facing the trial, this Court is inclined to grant him privilege of bail.

8. Let the petitioner be released on bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-I Hajipur at Vaishali in connection with Bhagwanpur P.S. Case No. 116 of 2023 subject to the following conditions:



(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her *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/her bail bond by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of his bail bonds;

(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.

(Rajiv Roy, J)

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