

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39702 of 2024

Arising Out of PS. Case No.-84 Year-2024 Thana- WARISLIGANJ District- Nawada

Abhay Rana @ Rahul SON OF SUDHIR MAHTO Resident of Village-
Naukadih, P.S.- Ariyari, District- Seikhpura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manmohan Kumar, Advocate

For the Opposite Party/s : Mr. Anish Chandra, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 26-07-2024 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in Warisaliganj P.S. Case
No. 84 of 2024, instituted for the offences punishable under
Sections 364(a)/34 of the Indian Penal Code.

3. The prosecution case, in short, is that, son of the
informant went to the market and, thereafter, the informant
received a call from the phone of his son and by which a
demand of Rs. 10 lakh was made as *rangdari* and was also
threatened to kill his son. It is further alleged that few days
back, before this incident, the F.I.R. named co-accused persons
threatened to kidnap his son.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. Charge-sheet has been submitted in this case. No incriminating material has been recovered from the conscious possession of the petitioner. Learned counsel for the petitioner also submitted that the petitioner is not named in the F.I.R. and name of the petitioner has transpired on the basis of confessional statement of co-accused persons which has got no evidentiary value. There is no specific allegation levelled against the petitioner, rather the allegations levelled against the petitioner is general and omnibus in nature. The victim has mentioned the name of co-accused Nitish Kumar in his statement recorded under Section 164 of Cr.P.C. Learned counsel for the petitioner further submitted that the victim has returned to his house the same day without any payment of ransom money demanded from the informant. The petitioner is in custody since 26.02.2024 and has got no criminal antecedent.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and taking into account the period of custody undergone by the petitioner, this Court is inclined to grant bail



to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Warisaliganj P.S. Case No. 84 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(III) 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.

(Rudra Prakash Mishra, J)

Rajorshi/-

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