

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45663 of 2024

Arising Out of PS. Case No.-111 Year-2013 Thana- NAYAGAON District- Saran

Arvind Kumar @ Arvind Ray Son of Devendra Ray @ Ramji Ray R/O Vill.-
Akhtiyarpur Pareyan, P.S.- Kudhani, Dist.- Muzaffarpur

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Rajeev Ranjan No. II, Advocate

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

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 19-07-2024 Heard learned counsel appearing on behalf of the

petitioner and Mr. Binod Kumar, learned A.P.P. for the State.

2. The petitioner seeks bail in connection with

Nayagaon P.S. Case No. 111 of 2013 registered for the

offence under Sections 364(A), 201(B) and 212 of the

Indian Penal Code.

3. The accused/petitioner is not named in the

F.I.R. and is in custody since 07.01.2024.

4. The allegation against the petitioner is to kidnap

a businessman, alongwith other co-accused persons, who

released after payment of ransom money.

5. Learned counsel appearing on behalf of the

petitioner submitted that the name of petitioner surfaced on



the basis of confessional statement of co-accused, namely, Sabal Kishore Singh, where nothing surfaced during the course of investigation to connect this petitioner, *prima facie*, with present set of occurrence/kidnapping. It is submitted that the name of petitioner surfaced in this case also on the basis of suspicion arises due to his criminal antecedents, as he found involved in 4 criminal cases, where he is on bail in all the cases and in maximum cases, the name of petitioner surfaced on the basis of confessional statement, having otherwise no evidentiary value. It is submitted that several similarly situated co-accused persons have already been granted bail by one of the learned Co-ordinate Bench of this Court through Cr. Misc. No. 3041 of 2015 vide order dated 04.11.2015. While concluding the argument, it has been submitted that investigation has been completed long-back, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

6. Learned APP duly assisted by learned counsel appearing on behalf of the informant, while opposing the prayer of bail, fairly conceded that petitioner was not named



in F.I.R.

7. Considering the facts and circumstances as mentioned above, as no incriminating surfaced/recovered during the course of investigation to connect this petitioner, *prima facie*, with present set of occurrence, where petitioner is in custody since 07.01.2024 coupled with the fact that charge-sheet has already submitted, let the petitioner, above named, is directed to be released on bail in connection with Nayagaon P.S. Case No. 111 of 2013 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Saran at Chapra/concerned court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C. and further condition:

“(i) That the accused/petitioner shall not involve in the similar nature of offence till the conclusion of trial, failing which the State shall be at liberty to move before the Trial Court itself for the cancellation of bail bond of the petitioner.

(ii) Accused/Petitioner shall cooperate in the trial and shall be physically present on



each and every date before the Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the Trial Court, only on medical ground of the petitioner duly supported by the documents.

(iii) That one of the bailors shall be deponent of the present bail petition.”

(Chandra Shekhar Jha, J.)

Rajeev/-

U		T	
---	--	---	--

