

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46990 of 2024

Arising Out of PS. Case No.-15 Year-2024 Thana- LAXMIPUR District- Jamui

Arvind Yadav @ Raju Das @ Raju Ji @ Raju Da Son Of Late Damodar
Yadav Resident of Village- Jogiya Tilha, P.S.- Jhajha, Distt.- Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Prasad Singh, Sr. Advocate
For the Opposite Party/s : Dr. Ajeet Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 21-09-2024 Heard Mr. Krishna Prasad Singh, learned Senior
counsel for the petitioner and Dr. Ajeet Kumar, learned APP for
the State.

2. Petitioner seeks bail, who is in custody since
29.01.2024, in connection with Laxmipur P.S. Case No. 15 of
2024, F.I.R. dated 19.01.2024 registered for the offences
punishable under Sections 364(A)/34 of the Indian Penal Code.

3. The prosecution case, in brief, is that on 18.01.2024
at about 8:09 P.M. the informant received a call from mobile
phone of his maternal nephew Vikash Kumar and when the
informant picked up the phone, some unknown persons were on
other side who were threatening the informant that if he wants
his person to be alive, he would have to give a ransom of Rs.
10,00,000/- and thereafter the called disconnected the call.



4. Learned Senior counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in the present case. He further submits that the petitioner is not named in the F.I.R. and the name of the petitioner has been transpired on the basis of suspicion and the alleged kidnapped persons returned to the house of the informant on 21.01.2024 and their statement were recorded before the police and they have not stated anything against the petitioner. He further submits that co-accused person namely Nitish Kumar @ Nitish Kumar Yadav, Chhotu Kumar @ Chhotu Kumar Yadav and Jitendra Kumar Yadav have been granted bail by the learned Court below itself and the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 29.01.2024.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner and fairly submits that the name of the petitioner has been transpired on the basis of suspicion and apart from that the petitioner carries twelve cases other than the present one but fairly submits on the basis of paragraph-3 of the bail petition that out of twelve cases, the petitioner is on bail in eleven cases.

6. Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two



sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Jamui in connection with Laxmipur P.S. Case No. 15 of 2024, subject to the following conditions :-

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

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

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedents, the court below 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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