

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44700 of 2024

Arising Out of PS. Case No.-22 Year-2024 Thana- MAHNAR District- Vaishali

Ramji Paswan Son of Gonaur Paswan R/O Vill.- Chamarhara, P.S.- Mahnar,
Dist.- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hemant Kumar, Advocate
For the Opposite Party/s : Mr. Abhay Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 24-07-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

02. In the present case, the petitioner is apprehending his arrest in connection with Mahnar P.S. Case No. 22 of 2024, registered on 24.01.2024 for the alleged offences under Section 363, 365 of the Indian Penal Code.

03. As per prosecution case, petitioner and other co-accused persons contacted the informant and told him about kidnapping of his wife and son and demanded Rs.1 lakh as ransom. They also threatened that they would push the wife of the informant in prostitution and kill the son of the informant.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. From the F.I.R. itself it is evident that wife of the informant fled

away from the house of the informant taking away cash and ornaments. The story of demand of ransom is completely false and concocted. The petitioner has been named in this case due to previous enmity and village politics as petitioner and informant are co-villagers. From the F.I.R. it is evident that it has been lodged after much delay. The occurrence is alleged to have taken place on 09.01.2024 whereas, F.I.R. has been registered on 24.01.2024 for which there is no explanation. The real fact of the case is that due to behavior of the informant his wife fled away from his house and intimation about this fact has been given to the Sub-Divisional Police Officer, Mahnar by the villagers. The petitioner has got no criminal antecedent.

05. Learned A.P.P. for the State opposes the submission made on behalf of the learned counsel for the petitioner.

06. Having regard to the facts and circumstances and submission made on behalf of the parties and considering the completely vague nature of allegation without any substantive material to connect the petitioner with the offences as alleged and further considering possibility of false accusation, let the petitioner above named, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount

each to the satisfaction of Court of learned J.M.-Ist Class,
Hajipur(Vaishali)/court concerned in connection with Mahnar P.S.
Case No. 22 of 2024, subject to the condition laid down under
Section 438(2) of the Code of Criminal Procedure and other
following conditions:

- (i) One of the bailors will be a
close relative of the petitioner.
- (ii) The petitioner will remain
present on each and every date
fixed by the court below, if so
required by the learned trial
court.

(Arun Kumar Jha, J)

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