

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48616 of 2024

Arising Out of PS. Case No.-41 Year-2018 Thana- AGAMKUAN District- Patna

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Vicky Paswan @ Vicky Kumar SON OF RAJESH PASWAN @ MANTU
PASWAN VILLAGE- KUMHRAR MAHAVIR MANDIR, IMALITAL PS-
AGAMKUAN, DIST- PATNA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pratibha Gupta, Advocate

For the Opposite Party/s : Mr. Raj Kishor Singh, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 30-08-2024

1. Heard learned counsel for the parties.

2. The petitioner has renewed his prayer for bail in connection with Agamkuan P.S. Case no. 41 of 2018 registered under section 364A of the Indian Penal Code to which section 302 of the Indian Penal Code was added subsequently.

3. As per the prosecution case, it is the case of the informant that he received a phone call on his mobile phone. His son Raunak Kumar narrated that he had been kidnapped and was being beaten up. Thereafter, it is stated that another person took the telephone and made a demand of ransom to the tune of Rs.25 lacs. The informant states that he had some dispute with one of his tenants.

4 It is submitted by learned counsel for the petitioner



that the earlier prayer for bail of the petitioner was rejected vide orders brought on record as Annexure-1 series, the last order being on 19.7.2023. It is submitted that inspite of the petitioner being in custody since 19.1.2018, the trial has still not concluded and as per oral instructions received number of prosecution witnesses still remain to be examined. The petitioner undertakes to cooperate in the trial.

5. The application for bail is opposed by learned APP for the State and learned counsel for the informant.

6. A report was called for from the learned trial Court. As per the report received, ten witnesses on behalf of the prosecution have been examined, seven more witnesses on behalf of the prosecution still remained to be examined and for appearance of whom summons have been issued.

7. Having heard learned counsel for the parties and taking into consideration the allegations against the petitioner in the FIR, his being in custody for more than 6 years 6 months since 19.1.2018 and seven witnesses still remaining to be examined on behalf of the prosecution, as per report received from the learned trial Court, the Court directs the petitioner to be enlarged on bail in connection with Agamkuan P.S. Case no. 41 of 2018 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand)



with two sureties of the like amount each to the satisfaction of the
learned 1st Additional Session Judge, Patna City, District Patna.

(Partha Sarthy, J)

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