

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45370 of 2024

Arising Out of PS. Case No.-213 Year-2023 Thana- KHARIK District- Bhagalpur

Sanjay Thakur Son of Yadunandan Thakur Resident of Village - Garaiya,
Police Station - Parbatta, District - Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar Pandey, Advisory

For the Opposite Party/s : Mr.Kalyan Shankar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

3 18-09-2024 Heard the parties.

2. The petitioner is in judicial custody in connection with Kharik P.S. Case No. 213 of 2023 for the offence punishable under Section 364(A) of the Indian Penal Code lodged on 12.09.2023 by the informant, Sulekha Devi.

3. As per the prosecution story, the informant alleged that her nephew, Ramesh Kumar who is in the business of Ayurvedic medicine was kidnapped by the named accused and demanded Rs. 3,00,000/- which led to the FIR.

4. Learned counsel for the petitioner submits that there was some financial dispute with the victim for which he was intercepted, there was no occasion to kidnap him or demand of ransom. Further, the victim alongwith 'Mukhiya' returned home but due to lodging of the FIR, the petitioner is suffering



by being in custody since 15.04.2024.

5. Learned APP opposes the prayer submitting that the victim has named him as the person who had played the role in the kidnapping.

6. Though, the allegation is there, the fact remains that the as per the FIR, there was dispute of financial transaction, he do not have criminal antecedent, has remained in custody since 15.04.2024 and as undertaken by the learned counsel for the petitioner, on instruction, he will be diligently appearing in trial, this Court is inclined to extend him the privilege of bail with conditions.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned A.C.J.M., Naugachia, Bhagalpur, in connection with Kharik P.S. Case No. 213 of 2023 subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his



bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month for next one year to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

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