

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47523 of 2024

Arising Out of PS. Case No.-30 Year-2021 Thana- KHAIRA District- Jamui

MANISH KUMAR @ MANI YADAV, aged about 21 years, Male, SON OF
SADANAND YADAV @ SADANDA YADAV, RESIDENT OF VILLAGE -
RAJADIH RANHAN, POLICE STATION - SIKANDRA, DISTRICT -
JAMUI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Naresh Kumar Mehta, Advocate
For the Opposite Party/s : Mr.Umesh Lal Verma, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 25-10-2024 Heard Mr. Naresh Kumar Mehta, learned counsel

appearing on behalf of the petitioner and Mr. Umesh Lal Verma,

learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Khaira P.S. Case No. 30/2021 registered for the offence(s)
punishable under Sections 417, 419, 420, 468, 469, 470, 471/34
of the Indian Penal Code.

3. As per the allegation made in the FIR, two SIMs
were recovered from the possession of co-accused Kundan
Kumar, who was running a mobile shop along with other article.
The mobile phones were generated on the basis of forged
Aadhar Card in the name of fictitious persons for demanding
ransom from the contractors. FIR is lodged by a police officer.



4. Learned counsel appearing on behalf of the petitioner submitted that on mere suspicion, petitioner has been roped in the present case on the basis of confessional statement of co-accused Kundan Kumar, who was arrested by the police and recovery of two SIMs were also made from his possession, as would appear from the seizure list. Petitioner is not involved in the alleged crime, nor the FIR reflects the name of the persons from whom alleged demand of ransom was made. On these grounds, learned counsel seeks the petitioner to be released on pre-arrest bail.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Having considered the rival submissions made on behalf of the parties, as well as, the fact that two SIMs cards were recovered from the possession of one Kundan Kumar and said Kundan Kumar has disclosed the name of the petitioner in police custody, though the petitioner has two criminal antecedents but in one criminal case, he is on bail and the second one, according to the petitioner, relates to family dispute and is of civil nature. In absence of any recorded evidence with regard to the demand of ransom and on the basis of CDR and CAF on mere suspicion, name of the petitioner has been made,



the petitioner, above named, is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the Court below within a period of four weeks from today, 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 at Jamui in connection with Khaira P.S. Case No. 30/2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. The learned District Court is directed to verify the criminal antecedent of the petitioner and if it is found that the petitioner is involved in some other cases, as what has been stated in paragraph no.3 of the bail application, this order will automatically lose its force.

(Purnendu Singh, J)

Sanjay/-

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

