

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69173 of 2024

Arising Out of PS. Case No.-207 Year-2024 Thana- LALGANJ District- Vaishali

=====

Aayush Raj @ Chandan Sah @ Chandan Kumar S/O Sanjay Kumar Sah @
Sanjay Prasad Sah R/o Village- Agarpur, P.S- Lalganj, District -Vaishali at
Hajipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Om Prakash Om, Advocate

For the Opposite Party/s : Mr. Binod Kumar No.3, APP

=====

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

3 22-11-2024 Heard Mr. Om Prakash Om, learned counsel for the

Petitioner and Mr. Binod Kumar No.3, learned APP for the

State.

2. Petitioner seeks regular bail in connection with
Lalganj P.S. Case No. 207 of 2024 dated 15.07.2024 registered
for the offences punishable under Sections 308(5) and 308(4) of
the Bharatiya Nyaya Sanhita (in short 'B.N.S.').

3. The main submissions advanced by learned counsel
for the petitioner are that the petitioner is not named in the FIR,
he has been languishing in jail since 26.07.2024 and the instant
matter relates to extortion demand and threatening which was
allegedly made by the accused by using some mobile numbers
but in following with the said threatening and demand, no
money was given by the informant and the petitioner has been



made accused mainly on the basis of his own confessional statement and on account of his name being shown as a top caller on a particular mobile number which was registered in the name of co-accused, Gunjan Kumar, so, merely by this technical evidence, the petitioner has been made accused.

4. Learned APP for the State has opposed the prayer for bail of the petitioner and he has referred the statements of some independent witness mentioned in paragraph nos. 92 and 93 of the case diary.

5. Considering the facts and circumstances of this case and mainly the petitioner's young age, his custody period, his fair and clean antecedent and the completion of investigation against him, in my opinion, it is a fit case for bail to the petitioner. Accordingly, let the petitioner named-above be released on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the concerned Court in connection with Lalganj P.S. Case No. 207 of 2024 on the following conditions:-

(i) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the trial Court and shall remain physically present as directed by the trial Court and on his absence on two consecutive dates without



sufficient reason, his bail bond shall be cancelled by the trial Court.

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

(iii) One of the bailors shall be a close relative of the petitioner who has sworn affidavit in this miscellaneous petition.

(iv) The trial court will verify the criminal antecedent of the petitioner but acceptance of bail bond will not be delayed on account of process of verification of the said criminal antecedent. If any criminal antecedent of the petitioner is found then the trial court shall take strict action against him by cancelling his bail bond.

(Shailendra Singh, J)

maynaz/-

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

