

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72968 of 2024

Arising Out of PS. Case No.-15 Year-2024 Thana- LAXMIPUR District- Jamui

Bablu Yadav @ Babua @ Babua Yadav S/o Mishri Yadav R/o vill- Magahi,
PS- Laxmipur, District- Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar Sinha, Advocate
For the Opposite Party/s : Mr.Rajendra Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 06-12-2024 Heard Mr.Pankaj Kumar Sinha, learned counsel for
the petitioner and Mr.Rajendra Singh, learned A.P.P. for the
State.

2. The petitioner seeks bail, who is in custody since
17.03.2024 in connection with Laxmipur P.S. Case No. 15 of
2024, F.I.R. dated 19.01.2024 registered for the offence
punishable under Sections 364(A)/34 of IPC.

3. The prosecution case, in brief, is that on 18.01.2024
at about 8:09 P.M. the informant received a call from mobile
phone of his maternal nephew Vikash Kumar and when the
informant picked up the phone, some unknown persons were on
other side who were threatening the informant that if he wants
his person to be alive, he would have to give a ransom of Rs.
10,00,000/- and thereafter the called disconnected the call.



4. Learned counsel appearing for the petitioner submits that the petitioner has falsely been implicated in the present case. Petitioner is not named in the FIR. The name of the petitioner has been transpired during investigation on the basis of the confessional statement of co-accused person, and except the confessional statement of co-accused person, no other material has come during investigation against the petitioner to suggest the involvement of the petitioner in the present occurrence. Further submits that the statement of the victim was recorded under Section 164 Cr.P.C.in which he has not stated anything about the petitioner and the co-accused persons, namely, Jitendra Kumar, Chhotu Kumar and Nitish Kumar have been granted bail by the learned court below itself and co-accused person, namely, Arvind Yadav @ Raju Das @ Raju Ji @ Raju Da has been granted bail by this Court vide order dated 21.09.2024 passed in Cr. Misc. No.46990 of 2024 and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 17.03.2024.

5. Learned A.P.P. for the State has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner is involved in the present crime in question and apart from that, petitioner carries six more cases other than the



present one but fairly submits that out of six cases, he is on bail in four cases, and in one case, he is not sent up for trial and rest one case is pending for consideration, as mentioned in para-3 of the supplementary affidavit.

6. Considering the aforesaid facts, petitioner is not named in the FIR, co-accused persons, namely, Jitendra Kumar, Chhotu Kumar and Nitish Kumar have been granted bail by the learned court below itself and similarly situated co-accused person, namely, Arvind Yadav @ Raju Das @ Raju Ji @ Raju Da has been granted bail by this Court, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-IV, Jamui in connection with Laxmipur P.S. Case No. 15 of 2024, with the following conditions:-

(I) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(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 bail.

(III) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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