

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74222 of 2024

Arising Out of PS. Case No.-140 Year-2023 Thana- TARAIYA District- Saran

Alok Kumar Singh S/O Shankar Singh, R/O Village- Bishunpur Jagdish, P.S-
Marhawra, Distt.- Saran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Raushan Raj, Advocate
For the Opposite Party : Mr. Anant Kumar 1, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 06-12-2024 Heard Mr. Raushan Raj, the learned counsel for the
petitioner and Mr. Anant Kumar 1, the learned Additional Public
Prosecutor for the State.

2. Learned counsel for the petitioner is permitted to
make correction in paragraph no. 15 of the bail petition in the
course of the day.

3. Petitioner seeks regular bail who is in custody since
23.03.2024, in connection with Taraiya P.S. Case No. 140 of
2023, FIR dated 13.05.2023, registered for the offences
punishable under Sections 341, 323, 364, 386 and 504 read with
Section 34 of the Indian Penal Code.

4. According to the prosecution case, the informant
along with his friends was returning from Kritpura Bangra and
when they reached at Narayanpur, two people intercepted them
and on gun point forced the informant and his friends to come



with them. It is further alleged that informant somehow saved himself and later received a phone call from the kidnappers, who made a demand of Rs. 50,000/- (rupees fifty thousand only), otherwise his friends will be killed.

5. Learned counsel for the petitioner submits that petitioner has falsely been implicated in the present case. He further submits that petitioner is not named in the FIR and name of the petitioner transpired during investigation on the basis of confessional statement of co-accused person namely, Sonu Singh @ Sonu Kumar and the said co-accused person has been granted bail by this Court vide order dated 18.09.2024 passed in Cr. Misc. No. 40448 of 2024. He further submits that nothing has been recovered from the conscious possession of the petitioner and till date no test identification parade has been conducted by the prosecution. He lastly submits that the police after investigation has submitted the charge sheet against the petitioner and the petitioner is in custody since 23.03.2024.

6. The learned Additional Public Prosecutor for the State on the other hand has vehemently opposed the prayer for bail of the petitioner on the ground that petitioner carries seven criminal antecedents other than the present one, however, he fairly submits on the basis of paragraph no. 3 of the bail petition



that petitioner is on bail in all the pending matters.

7. Considering the aforesaid facts and circumstances and mainly the facts that petitioner is not named in the FIR, nothing has been recovered from the conscious possession of the petitioner and similarly situated co-accused person namely, Sonu Singh @ Sonu Kumar has been granted bail by this Court, let the petitioner, above-named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten Thousand only) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Saran at Chapra, in connection with **Taraiya P.S. Case No. 140 of 2023**, subject to the following conditions:

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

(iii). And further condition that the learned trial



Court 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 learned trial Court 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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