

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81747 of 2023

Arising Out of PS. Case No.-282 Year-2023 Thana- ADAPUR District- East Champaran

Shakti Agarwal Son Of Om Prakash Agarwal Resident Of Village - Gahwa
Mai Ramtol (Ward No.07), ,P.S. - Birganj, District - Parsa (Nepal)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rakesh Kumar No.1, Advocate

For the Opposite Party/s : Mr.Ram Priya Sharan Singh, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

3 05-03-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Adapur P.S. Case No. 282/2023 lodged on 19.09.2023 under
Sections 386/387 of the Indian Penal Code.

3. As per the prosecution case, the FIR has been
lodged against one named and one owner of the mobile number.
The accusation is of demand of ransom.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. The
petitioner is not involved in the alleged crime, but since he
provided the alleged mobile number to the accused in lieu of
certain money, he has been made accused in the present case.
The petitioner is in custody since 25.09.2023 and is accused in



one more criminal case. Basically, for one allegation, the police has lodged two cases and in both the cases, petitioner's name has been inserted.

5. Learned counsel for the State opposes the prayer for bail and submits that there is involvement of the petitioner in commission of the crime as he is the person who provided the SIM to the other accused persons by which this crime has been committed.

6. Upon specific query from the counsel for the petitioner whether the charge has been framed or not, learned counsel for the petitioner submits that he is not aware about the fact whether the charge has been framed or not.

7. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named be released on bail, **but only after framing of charge, if not framed**, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of J.M., Raxaul at Motihari, subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure with other following conditions:

(i) one of the bailor should be the family member 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 bonds by the Trial Court itself;

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

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

(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 the bail bonds.

(Dr. Anshuman, J)

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