

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81731 of 2024

Arising Out of PS. Case No.-29 Year-2024 Thana- MAHALGAON District- Araria

Md. Noman @ Md. Nauman S/o- Md. Shahid Resident of Village- Bhuna
Majgama PS- Mahalgaon, Dist- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brajesh Kumar Singh, Advocate

For the Opposite Party/s : Mr. Shantanu Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 06-12-2024 Heard learned counsel for the petitioner, learned
APP for the State and perused the case diary.

2. The petitioner seeks bail in connection with Mahalgaon P.S. Case No. 29 of 2024, instituted for the offences punishable under Section 364(A)/34 of the Indian Penal Code.

3. The prosecution case, in short, is that, the petitioner along with other co-accused persons kidnapped the two sons of the informant on the gun point. It is alleged that shortly, thereafter, the miscreants repeatedly called in the mobile of the informant's daughter-in-law, demanding a ransom of Rs. 8 lakhs.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. Charge-sheet has been submitted in this case. No



incriminating material has been recovered from the conscious possession of the petitioner. Learned counsel for the petitioner also submits that the petitioner is not named in the FIR. Name of the petitioner has transpired in this case on the basis of confessional statement of co-accused person. The petitioner has neither kidnapped the victim nor demanded any extortion money from the informant. It is further submitted that the victims in their statement recorded under Section 164 Cr.P.C. have not mentioned the name of the petitioner. The petitioner is in custody since 22.08.2024 and has got two criminal antecedents in which he is on bail.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and taking into account the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Mahalgaon P.S. Case No. 29 of 2024, subject to the following conditions:



(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Rajorshi/-

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