

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3994 of 2024

Arising Out of PS. Case No.-260 Year-2023 Thana- MOUZAHDIPUR District- Bhagalpur

Amit Kumar @ Amit Kumar Sah @ Ashok Kumar Sah Son of Late Ashok Sah, resident of Village Tinpulia, P.s. Bypass, District Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Vaishnavi Singh

For the Opposite Party/s : Mr. Arvind Kumar Pandey (App)

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 07-02-2024 Heard learned counsel for the petitioner, learned
APP for the State and learned counsel for the informant

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 385, 387, 504, 506, 447, 341 and 34 of the Indian Penal Code.

3. Allegation against the petitioner is that he demanded ransom of Rs. 20 lacs and gave dire consequences to the informant.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case due to existing land dispute between the parties. The demand of ransom has not been executed. Nothing consistent material has come against the petitioner. Only on the basis of land dispute, petitioner has been



dragged in this case. Moreover, he is languishing in judicial custody since 12.10.2023.

5. Learned APP appearing for the state and learned counsel for the informant have opposed the prayer of regular bail and submitted that petitioner has ten criminal antecedents.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail **after framing of charge if the charge is not framed** in connection with Mojahidpur (Babarganj) P.S. Case No. 260 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Bhagalpur with following conditions:-

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

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



(iii) In case, the petitioner repeats offence of similar nature after enlargement on bail, his bail-bonds will be cancelled by the Court below.

(Sunil Kumar Panwar, J)

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