

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16611 of 2025

Arising out of PS. Case No.-455 Year-2024 Thana- SONEPUR District- Saran

Shahzad Alam @ A. B. Diviliyar @ Body Mian, Son of Liyakat Ali, R/o Village-Kararahat PS- Derni Dist- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mirityunjay Kumar, Advocate

For the Opposite Party/s: Ms. Sharda Kumari, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

5 24-06-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the state.

2. The petitioner seeks bail in a case instituted for the offences under Sections 386, 504 and 506 of the Indian Penal Code. He has two criminal antecedents.

3. As per the prosecution case, the informant had got a call from unknown person and demand of ransom (rangdari) of Rs. 50,00,000/- was made and on non-fulfilment of the same, threatening of dire consequences was also given.

4. Learned counsel for the petitioner submits that the petitioner is not named in the FIR and his name has surfaced during the course of investigation. Learned counsel further submits that no recovery has been made from the conscious possession of the petitioner, however, during the course of investiga-



tion it is stated that one mobile was recovered and the IMEI Number does not match with the mobile number of the petitioner which was used to call the informant demanding ransom. It is also submitted by learned counsel for the petitioner that he was not the owner of the mobile and it was merely on suspicion he has been apprehended in this case. It is next submitted by learned counsel for the petitioner that co-accused person namely Akash Kumar @ Akash Rai has been granted bail *vide* order dated 07.02.2025 passed in Cr. Misc. No. 9015 of 2025, the order of the same has been brought on record by Annexure-2/A. It is lastly submitted that though the petitioner has two criminal cases against his name, he is in custody since 19.06.2024.

5. Learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner and has submitted that the recovery has been made subsequent to the confession of the petitioner as well as other co-accused persons as such petitioner should not be granted liberty of bail.

6. Considering the aforesaid submissions of learned counsels and taking into account the fact that the petitioner is in custody since 19.06.2024, the petitioner above named, is directed to be released on bail on furnishing bail-bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like



amount each to the satisfaction of the concerned Judicial Magistrate-1st Class, Saran at Chapra in connection with Sonpur P.S. Case No. 455 of 2024, subject to the the following conditions:-

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the Court below, if so required by the learned Trial Court.

(iii) In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be canceled by the Court concerned.

(iv) 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 the same or in the name of



verification.

7. In view of the antecedents of the petitioner, the petitioner is directed to appear before the Superintendent of Police, Saran at Chapra within fifteen days of his release with a copy of this order and every two weeks thereafter for the next nine months. The conduct of the petitioner will be kept under watch in this period by the Superintendent of Police concerned and if it is found wanting in any respect, a report shall be made to the court concerned by him to initiate a proceeding for cancellation of bail for reasons of misuse of bail. After reporting to the Superintendent of Police, a certificate will be filed by the petitioner before the court concerned.

8. It is made clear that the observations, if any, made in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

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