

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67251 of 2024

Arising Out of PS. Case No.-50 Year-2023 Thana- BHAGWANPUR District- Begusarai

Nagina Mahton @ Nago Mahton Son of Vimal Mahton Resident of Village -
Nagdah, P.S. - Muffasil, District -Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Ms. Namita Sharma, Advocate Mr. Anshu Dhar Sharma, Advocate
For the Opposite Party/s	:	Ms. Pushpa Sinha.1, APP

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

ORAL ORDER

4 22-01-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Bhagwanpur P.S. Case No. 50 of 2023 instituted for the offence
under Sections 384, 386 & 506 of the Indian Penal Code.

3. Prosecution case in short is that petitioner has
demanded ransom to the tune of Rs. 25 lakhs from the
informant, otherwise to face dire consequences.

4. It has been submitted on behalf of the petitioner
that the petitioner is remanded in this case on 23-02-2024 from
Muffasil PS Case No. 98 of 2023. Petitioner bears twelve
criminal antecedents, as per disclosure made in paragraph No. 3
of the bail application.



5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case, only due to his criminal antecedents. It is submitted that mobile number as alleged in this present case does not belong to the petitioner, nor any other evidence suggests that the petitioner ever made demand of the ransom from the informant. It is submitted that petitioner has not received any extortion money received from the informant. Nothing incriminating has been recovered from the possession of the petitioner. It is lastly submitted that charge sheet has been submitted in this case.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner by contending that allegation against the petitioner is serious in nature and there is complicity of the petitioner in the commission of the alleged crime. Charges of the offence are very serious in nature.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner and charge sheet being submitted, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with



two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Bhagwanpur P.S. Case No. 50 of 2023, 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.

(III) If the petitioner tampers with the evidence or the witnesses of the case by intimidating/pressurizing the witnesses, during the investigation or trial, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(IV) If the petitioner is found indulged in any criminal activity or commission of any crime after being released on bail, the prosecution will be at liberty to file an appropriate application before the court below for cancellation of his bail.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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