

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73479 of 2024

Arising Out of PS. Case No.-64 Year-2024 Thana- INDUSTRIAL AREA District- Vaishali

Raushan Kumar Son of Late Sanjay Singh Resident of Village- Rahimapur,
P.S- Bidupur, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Bela Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 29-01-2025 Heard Mrs. Bela Singh, learned counsel for the

petitioner and Mr. Sanjay Kumar Sharma, learned Additional

Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Industrial Area P.S. Case No. 64 of 2024, F.I.R. dated 26.05.2024 for the offences punishable under Section 387 of the Indian Penal Code.

3. According to prosecution case, informant received a phone call where the caller abused him and demanded Rs. 10 lakh as extortion money and also threatened him for dire consequences.

4. Learned counsel for the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case. She further submits that the petitioner is not named



in the F.I.R. and the name of the petitioner has been transpired during investigation on the basis of the disclosure made by the co-accused, namely, Sanjay Kumar. She further submits that it appears from the F.I.R that nothing has been recovered from the house of the petitioner rather the recovery has been made from the house of the co-accused, namely, Sanjay Kumar and Aditya Kumar and except the aforesaid, no other material has come during investigation to suggest the involvement of the petitioner in the present occurrence. She further submits that mobile has been recovered from the possession of Aditya Kumar.

5. Learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner on the ground that petitioner carries two criminal antecedents other than the present one.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Vaishali at Hajipur in connection with Industrial Area P.S. Case No. 64 of 2024, subject to the



conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court 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 the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. 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 or in the name of verification.

(Rajesh Kumar Verma, J)

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