

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84639 of 2024

Arising Out of PS. Case No.-21 Year-2019 Thana- GOVINDPUR District- Nawada

Purushotam Kahar Son of Jagdish Ram @ Jagdish Kahar Resident of Village-
Chotha, P.S. -Rajauli, District- Nawada, Petitioner/s
Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Man Mohan Kumar, Adv
For the Opposite Party/s : Mr. Ram Sevak Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

5 26-06-2025 Heard learned Counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner seeks regular bail in a case registered for the offences punishable under Sections 302 of the I.P.C., under Section 27 of the Arms Act, under Section 3/5/6 of Explosive Substance Act and Sections 15/16/18/20 of Unlawful Activities (Prevention) Act.

3. As per the prosecution case, some unknown miscreants are alleged to have threatened the informant, namely, Gopal Saw, on a phone call and demanded Rs. 5,00,000/- as extortion money and further the informant's nephew was also shot dead.

4. Learned counsel for the petitioner has submitted that the petitioner is not named in the FIR and his name has surfaced in the confessional statement of the co-accused Manoj Kumar Mehta and Yashwant Kumar Mehta. It is next submitted



that no specific allegation has been made against the petitioner and he was not even aware of such case against him. It is also submitted that similarly situated co-accused persons, namely, Manoj Kumar Mehta and Yashwant Kumar Mehta, have already been granted bail by co-ordinate Benches of this Court vide orders dated 29.02.2020 and 19.03.2020 passed in Cr. Misc. No. 12047 of 2020 and Cr. Misc. No. 75146 of 2019 respectively. It is lastly submitted that the petitioner has one criminal antecedent and is in custody since 18.06.2024.

5. Learned APP for the State has vehemently opposed the prayer for bail and has stated that the petitioner is part of the gang which has been involved in demanding ransom and even the nephew of the informant was shot dead by the said gang, hence, he does not deserve the liberty of bail.

6. Considering the aforesaid submissions of the parties and taking into account the fact that the co-accused persons, on whose confessional statement the name of the petitioner has surfaced in this case, have already been granted bail by co-ordinate Benches of this Court coupled with the fact that the petitioner is in custody since 18.06.2024, let the petitioner above-named, be enlarged 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 learned Court concerned, Nawada, in connection with Govindpur P.S. Case No. 21 of 2019, subject to the following conditions:-

(i) One of the bailors will be 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) If the petitioner is found involved in similar nature of offence in future, the prosecution will be at liberty to move for cancellation of his bail bond.

(v) The learned 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.

7. The application stands allowed.

8. However, 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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