

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38967 of 2017

Arising Out of PS.Case No. -33 Year- 2016 Thana -BANIAPUR District- SARAN

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Alok Kumar Singh @ Pintu Singh @ Chotu Singh @ Chotu Kumar, son of
Late Subhash Singh @ Late Subhash Prasad Singh, resident of Village-
Hanshrajpur, P.S. Baniyapur, District Saran (Chapra).

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Thakur with Mr. Nilesh
Kumar, Advocates

For the Opposite Party/s : Mr. Chandrasen Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 31-08-2017 Heard learned counsel for the petitioner.

This is an application for bail in connection with
Baniyapur P.S.Case No. 33 of 2016 registered for the offences
punishable under Sections 341, 307, 120B, 387/34 of the Indian
Penal Code and 27 of the Arms Act.

Allegation as per FIR is that accused persons, including
the petitioner had demanded extortion from the informant and they
fired him also.

Submission of learned counsel for the petitioner is that
there is no allegation of firing against the petitioner and co-
accused against whom there is allegation of firing has been
granted bail by a co-ordinate Bench of this Court in Cr.Misc.No.



21435 of 2016, vide order dated 15.7.2016 (Annexure-2) and petitioner is in custody since 4.3.2017.

Heard learned APP and learned counsel for the informant, who have vehemently opposed the prayer for bail stating that petitioner was absconding earlier and, as such, case of other accused persons has been separated from the case of petitioner and the case has been committed to the court of sessions. Further submission is that there was demand of extortion from the informant and on non-fulfilment of demand he was assaulted and firing was made by the accused persons on him. However, they could not controvert the submission of learned counsel for the petitioner that the case of the petitioner stands on better footing than that of co-accused, who has been granted bail.

Having heard both sides and in view of facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate-XI, Saran, in connection with Baniyapur P.S.Case No. 33 of 2016, subject to the conditions that :-

- (i) one of the bailors shall be a local person having sufficient immoveable properties



- within the jurisdiction of court concerned,
- (ii) petitioner shall appear in court on each and every date fixed and on failure to appear without any genuine ground or without permission of court, his bail bond shall be cancelled.

However, learned court below is directed to amalgamate the case of the petitioner as sessions trial has already commenced.

(Vinod Kumar Sinha, J)

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