

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34270 of 2018

Arising Out of PS. Case No.-243 Year-2016 Thana- JOGAPATTI District- West Champaran

Md. Aiyub, son of Islam Mian, Resident of Village- Dhabelwa, P.S.-
Jogapatti, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. Smt. Pronati Singh

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 09-07-2018 Heard the learned counsel for the petitioner,
the informant and the State.

The petitioner seeks bail in connection with Trial
No. 4475 of 2017 arising out of Jogapatti P.S. Case No.
243 of 2016 dated 06.09.2016 instituted for the
offences under Sections 341, 323, 387, 504 and 506 of
the Indian Penal Code.

The petitioner is said to have slapped the
informant and demanded Rs. 20,000/- as protection
money. He was also threatened that in case the
informant does not pay to him Rs. 2000/- per month, he
would be killed.

Learned counsel for the petitioner has however
submitted that for the aforesaid offence, the petitioner is
in custody since 12.04.2018. It has further been



submitted that the petitioner had earlier filed an application under RTI act seeking status of the action taken on his application dated 10.03.2016 which was submitted by him before the District Level Public Grievance Cell. When no action was taken, the petitioner was forced to file a writ petition before this Court for a direction to lodge an FIR against the informant and others for misappropriating the food grains meant for mid-day meal scheme in various schools. Because of the aforesaid act of the petitioner, he has been falsely implicated in this case.

Learned counsel for the informant, on the other hand, has submitted that in paragraph-3 of the petition, the petitioner has deliberately withheld a vital information that apart from the present case in which the petitioner is seeking bail, there are two other cases, one being for the same nature of offence as the present one.

Learned counsel for the petitioner has submitted that because of inadvertence, the reference of one case could not be given but in both the cases in which the petitioner is an accused, he has been released on bail.

Regard being had to the aforesaid facts, the petitioner above named is directed to be released on bail



on his furnishing bail bonds in the sum of Rs. 10,000/-
(Ten Thousand) with two sureties of the like amount
each to the satisfaction of the learned Additional Chief
Judicial Magistrate-II, West Champaran in connection
with Trial No. 4475 of 2017, arising out of Jogapatti
P.S. Case No. 243 of 2016.

(Ashutosh Kumar, J)

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