

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40928 of 2018

Arising Out of PS.Case No. -65 Year- 2015 Thana -PHENHARA District-
EASTCHAMPARAN(MOTIHARI)

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Sri Narayan Singh, Son of Late Yamuna Singh, Resident of Village-
Nayagaon, P.S. Sheyampur Bhatahan, District- Sheohar.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Anisur Rahman

For the Opposite Party/s : Mr. Sri Mithilesh Kumar Khare

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 11-07-2018 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in connection with Phenhara P.S.
Case No. 65 of 2015 for offences punishable under Sections 387,
465, 466, 468, 471, 474 and 120(B) of the Indian Penal Code,
Section 17 C.L.A. Act and Section 10/13 U.A.P. Act.

The prosecution case, as lodged by the informant, is
that he received a phone call of Manoj Singh from his mobile
number enumerated in the F.I.R. asking for five lacs as Rangdari
and stated that he is speaking from Azad Hind Fauj.

It has been submitted by the learned counsel for the
petitioner that he is innocent, not named in the F.I.R. and his name



surfaced during investigation and because of his criminal antecedent, he has been made accused in the aforesaid case. He further submits that neither the telephone number belongs to him nor he is concerned with the said demand and just because of political rivalry as he was earlier Mukhiya of the said Panchayat and his mother is present Mukhiya that such allegations have been made against him. Charge sheet has already been submitted and he is languishing in judicial custody since 24.07.2017. It is further submitted that some of the co-accused have already been granted the privilege of bail by coordinate Benches of this Court one of them being Cr. Misc. No. 32655 of 2016 vide order dated 21.12.2016.

However, learned APP for the State opposes the prayer for bail stating therein that the petitioner does to have a clean antecedent.

Considering the facts and circumstances and the materials on record as well as the period of custody, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran, Motihari in connection with Phenhara P.S. Case No. 65 of 2015, subject to the conditions that:



- (1) One of the bailors will be his own relative, namely, father, mother, brother, sister and/or his wife.
- (2) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.
- (3) The petitioner shall remain physically present in court on each and every date during trial and in the event of his failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.
- (4) The petitioner shall co-operate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Nilu Agrawal, J)

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