

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20220 of 2018

Arising Out of PS.Case No. -209 Year- 2017 Thana -MANSI District- KHAGARIA

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1. Chandan Kumar Son of Jawahar Yadav Resident of Village - Khutiya,
P.S. Mansi, District - Khagaria.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shekhar Kumar Singh

For the Opposite Party/s : Mr. Sri Jagdhar Prasad

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 17-05-2018 Heard the learned counsel for the petitioner and the

learned APP for the State.

The petitioner seeks regular bail in connection with

Mansi PS case no. 209 of 2017 instituted for the offences

punishable under Sections 354, 386 and other sections of Indian

Penal Code.

The case of the prosecution, accordingly to the

informant is that on 02.09.2017, the petitioner herein and other

co-accused persons had forcibly taken a sum of Rs. 5,000/- from

the informant by way of extortion money and earlier also, the said

accused persons had demanded extortion money from Pramod

Ram and upon non-payment of the same, the accused persons had

broken the glass of the vehicle, assaulted the ladies and created



nuisance.

The learned Senior counsel for the petitioner has submitted that the petitioner has been falsely implicated in the present case and is languishing in custody since 16.01.2018.

I have heard the learned counsel for the parties and perused the case diary from which, it is apparent that not only sufficient materials have come against the petitioner herein so as to connect him with the alleged occurrence but the petitioner is an accused in as many as 08 criminal cases, hence he is a habitual offender. It is a trite law that criminal antecedent of an accused is an important factor to be considered for the purposes of grant of bail, inasmuch as the concern of the society has to be kept in mind in juxtaposition of individual liberty. In this regard, it would be useful to cite a judgment reported in **(2012) 9 SCC 446 (Ash Mohammad v. Shiv Raj Singh & anr.)**

For the reasons mentioned hereinabove as also the fact that the petitioner herein is a history sheeter, I do not find the present case to be a fit case, in which the petitioner should be granted bail.

Hence, the petition is dismissed.

(Mohit Kumar Shah, J)

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