

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.60720 of 2018

Arising Out of PS.Case No. -606 Year- 2017 Thana -BHAGALPUR KOTWALI District-
BHAGALPUR

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1. Sekher Sah S/o Nawa Sah, R/o Bari Khanjarpur (Kathalbari), P.S.-
Barari, District- Bhagalpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amrendra Kumar Jha

For the Opposite Party/s : Mr. Sri Ajay Kumar Jha

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 08-10-2018 Heard the parties.

The petitioner seeks regular bail in connection with Kotwali Barari P.S.Case no.606 of 2017 (G.R.No.4660 of 2017) registered for offences punishable under Sections 452, 341, 323, 342, 385, 379, 307, 354(B), 504, 506, 147, 148, 149 of the Indian Penal Code and Section 25(1-b)a, 26, 27 and 35 of the Arms Act.

Allegation against the petitioner is of demand of extortion and also causing damage of the property of the informant and also of assault and further it appears that earlier the prayer for bail of the petitioner was rejected by the then Co-ordinate Bench of this Court, vide order dated 21.3.2018 passed in Cr. Misc. No.6834 of 2018.

Submission of the learned counsel for the petitioner is that



earlier the prayer for bail of the petitioner was rejected as he could not mention the criminal antecedent of the petitioner now he has suffered a lot and he has remained in custody for more than one year and no specific allegation has been attributed against him and other co-accused persons have been granted bail vide order dated 27.2.2018 passed in Cr .Misc. No.11919 of 2018 , order dated 5.4.2018 passed in Cr.Misc.No.12634 of 2018, and order dated 17.5.2018 passed in Cr. Misc. No.30633 of 2018.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of 2nd Additional District and Sessions Judge, Bhagalpur in connection with Kotwali (Barari) P.S.Case nO.606 of 2017 (G.R.No.4660 of 2017) (S.T.No.1012 of 2017).

With following conditions :

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall co-operate in the disposal of trial and make himself available as and when required by the court and in the event of failure to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free



to move for cancellation of his bail bond.
With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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