

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46056 of 2019

Arising Out of PS. Case No.-117 Year-2019 Thana- SURSAND District- Sitamarhi

MANISH KUMAR AGRAWAL S/O Mahesh Prasad Agrawal Resident of
village - Janakpur Ward No.9, P.S.- Janakpur, Dist.- Dhanukha (Nepal),
Permanent Address -Village - Khutauna, P.s.- Khutauna, Dist.- Sitamarhi.

... .. Petitioner

Versus

The State of Bihar Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Virendra Kumar

For the Opposite Party/s : Mr.Navin Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 27-09-2019 Heard learned Counsel for the petitioners and the learned
APP for the State.

The petitioner seeks bail in Sursand PS Case No. 117 of 2019 registered under Sections 420, 467, 468 and 384 of the Indian Penal Code , pending in the Court of Chief Judicial Magistrate, Sitamarhi.

The tempo drivers have cast the allegation upon the petitioner in the FIR, that impersonating himself to be a DTO, he has indulged in extortion of money from the drivers.

Petitioner's counsel submits that on account of a dispute relating to demand of excess fair by tempo drivers the scuffle ensued wherein taking advantage of assembly of number of Tempo drivers the petitioner has been caught, handed over to the police and implicated in this false case. It is submitted that seizure list is not in accordance with law and cannot be relied upon. The petitioner has no criminal antecedent and is in custody since 23.4.2019.

Learned APP has submitted that the seizure list shows recovery of Fifteen thousand rupees from the petitioner which corroborated the allegation.



Having considered the submission of the rival parties the bail application is allowed. Let the petitioner above named be released on bail on his furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Sitamarhi in Sursand PS Case No. 117 of 2019 on the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date in the trial and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

(Madhuresh Prasad, J)

SNkumar/-

U		T	
---	--	---	--

