

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12417 of 2020

Arising Out of PS. Case No.-173 Year-2017 Thana- GURUA District- Gaya

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Dhananjai Das @ Dhananjay Das S/o Late Chalitar Das Resident of Village-
Jai Bigha, P.S.- Gurua, Distt- Gaya (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Javed Jafar Khan

For the Opposite Party/s : Ms Meena Singh

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 02-06-2020 The matter has been listed today for consideration through Video Conferencing in view of the Nationwide Lockdown on account of the Covid 19 pandemic.

The learned counsels are appearing and making submissions from their residence. The Court Master and Secretary are also part of this virtual court proceedings from their homes, all with the aid of audio visual technology.

Heard learned counsel for the petitioner and the learned APP for the State.

The petitioner seeks bail in Gurua P.S. case No. 173 of 2017 instituted for the offence under Sections 385, 387 of the I.P.C. and Section 17 CLA Act.

The prosecution case is filed by the Engineer of a Construction company. It is stated that some unknown persons



have threatened and demanded Rs. Two lacs extortion from the Company of the informant while they were working on the construction of power grid line.

Petitioner's counsel submits that that he is in custody in connection with the instant case since 30.06.2018. He has not been named in the First Information Report and his implication is owing to criminal antecedents on extraneous consideration on alleged statement of co-accused and on his own confessional statement. Other than that there is nothing to connect the petitioner with the occurrence. No recovery has been made from the petitioner. Up till date he has not been put on T.I.P.. It is further submitted that in most of the case out of eight mentioned in the para 3 of the bail petition he is on bail.

The learned counsel for the State has opposed the prayer for bail by submitting that petitioner has criminal antecedents.

Considering the rival submissions, this Court is inclined to allow the petitioner's prayer for bail.

Accordingly, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/-(Ten thousand) with two sureties of the like amount each to the satisfaction of the **S.D.J.M, Sherghati, Dist. Gaya** in connection with **Garua P.S. Case no. 173 of 2017**, subject to 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 and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

It is further made clear that during currency of the nationwide lockdown due to COVID 19 pandemic, requirement of furnishing bail bonds and conditions shall remain suspended and the petitioner be released on executing and furnishing his personal bond to the satisfaction of the court concerned.

The petitioner must comply with the requirements of furnishing bail bonds, and conditions in terms of this order within 4 weeks after normal working resumes, failing which bail granted under this order shall stand cancelled and petitioner liable for the consequences thereof in accordance with law.

Let this order be communicated, without any delay, to the court of learned **S.D.J.M, Sherghati, Dist. Gaya**, and the competent authority of the State in terms of clause (4) of Notice I published in the Cause list uploaded on the website of the



Patna High Court.

(Madhuresh Prasad, J)

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