

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18625 of 2020

Arising Out of PS. Case No.-15 Year-2017 Thana- PAKRIDAYAL District- East Champaran

Tunna Singh @ Hari Narayan Singh, Male, aged about 42 years, Son of Late Binda Singh, Resident of Village - Nanhkar Patahai, Police Station - Patahi, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Ranjan

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

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 08-06-2020 Heard Mr. Sanjeev Ranjan, learned counsel for the petitioner and Mr. Arun Kumar Pandey, learned counsel appearing for the State through video conferencing.

The petitioner seeks regular bail in connection with S.T. No. 232 of 2018 arising out of Pakri Dayal P.S. Case No. 15 of 2017 registered for the offence punishable under Sections 387, 465, 466, 467, 471, 474 / 120(B) of the Indian Penal Code, 1860 .

The allegation against the petitioner as per as the F.I.R. lodged by one Vinay Prasad that he received a call on his mobile phone and the caller claiming himself as President of New Ranbir Sena namely, Shiv Shankar Sharma demanded a sum of Rs. 30 lakhs from the informant as extortion.



Learned counsel for the petitioner submits that petitioner is not named in the F.I.R. Learned counsel further submits that petitioner has been implicated in this case on the basis of confessional statement made by the co-accused namely, Mritunjay Thakur, who has been granted bail by this court in Cr. Misc. No. 40437 of 2017. Learned counsel further submits that similarly situated co-accused persons, whose names transpired on the basis of confessional statement of Mritunjay Thakur, namely- Subodh Kumar Singh, Niranjana Singh @ Niranjana Kumar Singh and Nitu Singh @ Niteshwar Singh @ Nitesh have been granted bail by this Court in Cr. Misc. Nos. 39685 of 2017, 43826 of 2017 and 45613 of 2017 respectively.

On the other hand, learned counsel for the State submits that petitioner has got criminal antecedent and altogether ten cases are pending against him of similar nature. Learned counsel for the petitioner in reply submits that petitioner was taken into custody in connection with Motihari Town P.S. Case No. 544 of 2014 and thereafter, he has been remanded in other cases on the basis of confessional statement. Learned counsel further submits that petitioner was remanded in the present case on 30.10.2018 and he has remained in jail for about 1½ years, whereas, similarly situated accused persons,



having criminal antecedent also, have been granted bail by this Court.

Having regard to the submissions made by the parties and taking into consideration the fact that similarly situated accused persons have been granted bail by this court and the petitioner remained in custody for about 1½ years, I am inclined to grant regular bail to the petitioner

Accordingly, let the petitioner, above named, be released on regular bail, if he is not required in any other case, on furnishing bail bond of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Vth Additional District & Sessions Judge, East Champaran, Motihari in connection with Pakri Dayal P.S. Case No. 15 of 2017 corresponding to Sessions Trial No. 232 of 2018.

It is made clear that at the time of furnishing bail bond all the parties shall follow the guidelines regarding lockdown and social distancing.

(Anil Kumar Sinha, J)

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