

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19882 of 2020

Arising Out of PS. Case No.-31 Year-2020 Thana- MUZAFFARPUR TOWN District-
Muzaffarpur

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MANOJ KUMAR, age 53 years, Male, S/o Sri Ram Janam Ram, Resident of
Village- Sahbajpur, P.S.- Ahiyapur, Dist- Muzaffarpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr.Ranjan Kumar Jha, Advocate.
For the Opposite Party : Mr.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 23-06-2020 Due to COVID-19 Pandemic, the matter is being
taken up by way of virtual Court proceeding.

The matter has been listed under the heading ‘For
Orders’ under the orders of Hon’ble the Chief Justice.

Learned counsel for the petitioner is directed to
remove the defects, as pointed out by the office, within a period
of four weeks from the date of lifting of the lockdown in the
State of Bihar.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in a case for the offences
registered under Sections 386/34 of the I.P.C.

The prosecution case, in short, is that the case was



lodged by Mr. Nakul Prasad Navin, Incharge Nazir, Civil Court, Muzaffarpur on the basis of direction received that Sri Rakesh Malviya, 14th Additional District & Sessions Judge-cum-Special Judge (Vigilance)-cum-Special Judge (Excise Act), Muzaffarpur has informed the District & Sessions Judge, Muzaffarpur, vide his Letter No. 21 dated 09.01.2020, that he got threatening on 09.01.2020, in the form of letter of extortion with demand of Rs. 10,00,000/- on behalf of one Anil Bhai and Pawan Bhai through registered ppost. The name and address of the sender is mentioned on the envelope as one A. K. Prasad, Sadpura Neem Chowk, P.S. Kazi Mohammadpur, Muzaffarpur-842002.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 31.01.2020. The petitioner has falsely been implicated in the present case. Charge sheet has been submitted in this case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner is not named in the F.I.R. The name of the petitioner has come in the present case in course of investigation. It is alleged that the petitioner had telephonic talk with one of the co-accused. Except for this, there is no substantive evidence to suggest the implication of the petitioner in the present case. He has been



made accused in the present case due to mistake of fact.

On behalf of the State, it is submitted that the petitioner is not named in the F.I.R.

Considering the facts and circumstances of the case and also the lockdown, the petitioner, above named, is directed to be released on bail on his personal bond to the satisfaction of learned C.J.M. Muzaffarpur in connection with Muzaffarpur Town P.S. Case No. 31 of 2020.

Once the normalcy is restored, the petitioner shall furnish bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of four weeks to the satisfaction of the court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

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