

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21314 of 2020

Arising Out of PS. Case No.-192 Year-2019 Thana- PURAINI District- Madhepura

MD. SAJJAK @ MD. SAJJAD Son of Md. Shekh Yunus @ Md. Yunus
Resident of Village - Nardah East @ Nardah @ Nardah Narda, Nayatola, P.S.-
Puraini @ Pureni, District - Madhepura

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sushil Kumar Jha

For the Opposite Party/s : Mr.Ashok Kumar

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 07-09-2020 The present petition has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID 19 Pandemic, requiring social distancing.

Heard the learned counsel appearing for the petitioner and Shri Ashok Kumar, learned A.P.P. for the State.

The petitioner seeks regular bail in connection with Puraini P.S. Case No. 192 of 2019 for the offence punishable under Sections 341, 323, 354(B), 386, 387, 379, 504, 506 and 34 of the Indian Penal Code.

The case of the prosecution in brief is that on 08.11.2019 at about 10:00 P.M. in the night when the informant was closing his shop then the petitioner along with two unknown persons



had arrived there and had pointed a pistol on the forehead of the informant, abused him and asked the informant to pay a sum of Rs. 2,00,000/- (rupees two lakhs) as extortion money whereafter the petitioner is stated to have taken away cash amounting to Rs. 25,000/- from the cash box kept in the shop of the petitioner and had also assaulted the wife of the informant by butt of the fire arm.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case, is an accused in one other case and he is languishing in custody since 02.02.2020.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for bail.

I have heard the learned counsel for the petitioner and perused the materials on record as also the case dairy. This Court is of the view that though benefit of doubt can be given to the petitioner, however, it appears that police investigation is still going on, hence, I deem it fit and proper to direct for release of the petitioner on regular bail, however, subject to certain conditions.

Accordingly, the petitioner, above named, is directed to 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 learned Judicial Magistrate-1st Class, Udakishunganj in connection with Puraini P.S. Case No. 192 of 2019, CIS-CRI-Case No. 1301 of 2019.

It is further directed that the petitioner would mark his attendance before the Officer In-Charge of the concerned Police Station at 10:00 A.M. on every Monday of the week and in the event of his failure to do so on two consecutive occasion, the present privilege of bail shall stand cancelled automatically and the petitioner shall be taken into custody forthwith.

(Mohit Kumar Shah, J)

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