

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27371 of 2020

Arising Out of PS. Case No.-171 Year-2019 Thana- DERNI BAZAR District- Saran

AMIT KUMAR SINGH @ SONU SINGH S/O AShok Kumar Singh
Resident of Village - Patti Sital, Police Station - Derni, District - Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dr. Rajesh Kumar Singh, Advocate
For the Opposite Party/s : Mr. Sanjay Kumar Pandey, APP.

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 12-11-2020

As of now the Courts have not resumed normal physical hearing, the matter has been listed today for consideration through Video Conferencing.

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.

Mr. Sanjay Kumar Pandey, APP is appearing for the State as it is submitted that the brief has been allotted to him by the office of Advocate General.

Heard learned Counsel for the petitioner and the learned Counsel for the State.

This Court would expect that the petitioner's Counsel would honour his undertaking in the instant proceedings regarding supply of requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

Petitioner seeks bail in Derni PS Case No. 171 of 2019 registered under Sections 341, 324, 448, 384, 386, 354 and 506/34 of the IPC.

It is alleged by the informant that around 12' O clock the petitioner and other co-accused has assaulted him in front of shop of Gauri Singh and demanded Forty thousand rupees per month as extortion. Thereafter it is alleged that the petitioner and co-accused



have assaulted his son and also misbehaved with his daughter.

Learned Counsel for the petitioner submits that implication of the petitioner even as per FIR is based on local village politics. The other co-accused, against whom identical allegation has been made, has been allowed bail pursuant to a compromise which has been filed by the informant in the court below (Annexure 2 of this application. This clearly indicates falsity of the prosecution story. The petitioner is in custody since 8.1.2020 and his wife has also been raising the issue of being intimidated by the informant of the instant case repeatedly. The petitioner is on bail in other three cases pending against him since before.

Learned APP has opposed the prayer for bail.

Considering the rival submissions as also the facts and circumstances of the case, prayer for bail of the petitioner is allowed.

Let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of ACJM XII Saran at Chapra in Derni PS Case No. 171 of 2019 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.

(Madhuresh Prasad, J)

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