

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.23485 of 2020**

Arising Out of PS. Case No.-145 Year-2019 Thana- NATHNAGAR District- Bhagalpur

Manish Choudhary, S/o Ram Niranjana Choudhary, Resident of Village-
Makandpur, P.S.- Nathnagar, Distt- Bhagalpur Petitioner
Versus

The State of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr.Madan Mohan, Advocate

For the Opposite Party/s : Mr.Narendra Kumar Singh, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 06-10-2020 Learned counsel for the petitioner undertakes to remove all the defects pointed by the Stamp Reporter within three weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Mr. Narendra Kumar Singh, learned A.P.P. for the State.

Petitioner in the present case is seeking pre-arrest bail in connection with Nathnagar P.S. Case No. 145 of 2019 registered for the offences punishable under Sections 386, 504, 506/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that as per allegations made by the informant who is a government contractor and supplier while the construction work of the road was going on in the village of this petitioner, the accused persons including this petitioner on the point of a weapon forcibly unloaded the sand on his door and on receiving this information when the informant went there the accused petitioner abused him and demanded Rs.



50,000/- as Rangdari and also threatened him showing a country made pistol.

Learned counsel submits that the allegations are palpably false and baseless. Since the government contractor was constructing the road in the village of this petitioner the sand was unloaded by him in the village and there being substandard quality of materials used in the road construction the petitioner and other villagers had been raising objection against the same. It is submitted that the present case has been lodged by the contractor just to keep the petitioner and other villagers silent.

Mr. Narendra Kumar Singh, learned A.P.P. for the State has though opposed the prayer for anticipatory bail of the petitioner but considering the facts and circumstances of the case, the nature of allegations and the submission of the petitioner that he has no criminal antecedent, let the petitioner above named in the event of his arrest or surrender within a period of four weeks from today be enlarged on bail on furnishing bail bonds of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-1st, Bhagalpur in connection with Nathnagar P.S. Case No. 145 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. i.e.

(i) a condition that the person shall make himself



available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court.

And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner.

This application is allowed.

(Rajeev Ranjan Prasad, J)

vats/-

U		T	
---	--	---	--

Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

