

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.20956 of 2021**

Arising Out of PS. Case No.-70 Year-2020 Thana- SIWAIPATTI District- Muzaffarpur

PRAMOD KUMAR, S/o Virendra Rai, R/o village- Sugri Dih, P.S.-
Mahindwara, District- Sitamarhi

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Anish Kumar, Advocate

For the Opposite Party/s : Mr.Atul Chandra, A.P.P.

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

2 08-07-2021 Learned counsel for the petitioner undertakes to remove all the defects as pointed out by office within four weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Mr. Atul Chandra, learned A.P.P. for the State.

Petitioner in the present case is seeking regular bail in connection with Siwaipatti P.S. Case No. 70 of 2020 registered for the offences punishable under Sections 384 and 386 of the Indian Penal Code.

As per the prosecution story on 17.06.2020 a written complaint was given to S.H.O., Siwapatti Minapur by the informant against unknown persons alleging that between 30.04.2020 and 17.06.2020 he received multiple extortion calls



on his mobile phone. On his complaint, the F.I.R. was registered under Sections 384 and 386 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. Nothing incriminating has been recovered from the conscious possession of the petitioner. It is submitted that save and except confessional statement nothing has come against this petitioner and one of the co-accused of this case has been granted bail in Cr. Misc. No. 4293 of 2021. The petitioner is in custody since 16.09.2020.

Mr. Atul Chandra, learned A.P.P. for the State has opposed the prayer for regular bail of the petitioner.

Having regard to the facts and circumstances of the case wherein it is the submission of learned counsel for the petitioner that the petitioner has been involved in this case after his arrest in connection with Minapur P.S. Case No. 237 of 2020 under Sections 399, 386, 411, 120(B), 34 of the Indian Penal Code, Sections 25(1-b)a, 26, 35 of the Arms Act and Sections 17, 18, 19, 20 of U.A.P. Act, in the said case the petitioner has been granted bail, one of the co-accused of this case has been granted bail in Cr. Misc. No. 4293 of 2021, the petitioner is in custody since 16.09.2020, investigation against him is complete



but the trial is not likely to take place in near future, considering these aspects of the matter, this Court directs release of the petitioner above named on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of Sri Pramod Kumar Mahatha, learned Judicial Magistrate 1st Class, Muzaffarpur in connection with Siwaipatti P.S. Case No. 70 of 2020, subject to the condition as laid down under Section 437 (3) Cr.P.C. as under :

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such 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 or tamper with the evidence.

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. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajeev Ranjan Prasad, J)

vats/-

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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'.

