

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35772 of 2020

Arising Out of PS. Case No.-5 Year-2020 Thana- MADANPUR District- Aurangabad

RAJU SAO Son of Bihari Prasad Gupta Resident of Village - Sheoganj
(Shivganj), P.S. - Madanpur, Dist.- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar, Adv.

For the Opposite Party/s : Mrs. Anita Kumari Singh, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 19-01-2021 Heard the learned counsel for the petitioner and Smt.
Anita Kumari Singh, the learned APP for the State.

The petitioner seeks regular bail in connection with
Madanpur P.S. Case No. 05 of 2020 for the offence punishable
under Sections 386 and 387 of the Indian Penal Code.

The allegation is regarding the members of P.L.F.I.
having arrived at the brick kiln of the informant on 05.01.2020,
whereafter they had handed over a letter to the labourers of the
brick kiln in which a sum of Rs. 5 lacs had been demanded and
the said letter was signed by one Suraj Gop.

The learned counsel for the petitioner has submitted
that the petitioner is innocent, is having a clean antecedent and
is languishing in custody since 04.03.2020. It is further
submitted that the petitioner has not been named in the FIR and
his name has transpired during the confessional statement made



by the co-accused person namely Dashrath Yadav, who has already been granted bail by a co-ordinate Bench of this Court by an order dated 02.12.2020 passed in Cr. Misc. No. 26404 of 2020. It is further submitted that no TI Parade has been held till date so as to connect the petitioner with the crime in question.

Per contra, the learned APP appearing for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the fact that the petitioner is not named in the FIR and his name has transpired in the present case upon confessional statement made by the co-accused person, who has already been granted bail by a co-ordinate Bench of this Court, I deem it fit and proper to direct for release on the petitioner on regular bail.

Accordingly, the petitioner, above-named, is directed to be released on regular bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned C.J.M., Aurangabad in connection with Madanpur P.S. Case No. 05 of 2020.

(Mohit Kumar Shah, J)

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