

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3962 of 2021

Arising Out of PS. Case No.-143 Year-2019 Thana- BARUN District- Aurangabad

VIKASH SINGH @ VIKASH KUMAR, Son of Ramashish singh Resident of
Village- Barun, P.S.- Barun, District- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bachan Jee Ojha

For the Opposite Party/s : Mr.APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 05-08-2021 Heard Mr. Bachan Jee Ojha, learned advocate

for the petitioner and Ms. Asha Devi, learned APP for the

State.

The petitioner seeks bail in anticipation of his

arrest in connection with Barun P. S. Case No. 143 of

2019, dated 12.06.2019, instituted for the offences

under Sections 341, 427 and 384 of the Indian Penal

Code.

The subject F.I.R. has been lodged by an

Executive of Operations of a company, which has put up

a solar tower. The tower has been erected over the land

belonging to the father of the petitioner. The erstwhile



vendor of the tower namely, Applied Solar Technology was not running the tower in accordance with the agreement between the parties. The petitioner was engaged as a care-taker of the tower by the vendor of the company of the informant. Per force, the agreement with Applied Solar Technology had to be rescinded and some other company was engaged to run the tower. Obviously therefore, the engagement of the petitioner as a care-taker was also terminated.

The accusation in the F.I.R. is that the petitioner attempted to disrupt the functioning of the tower and thereby has caused losses to the company of the informant and he has also been demanding protection money.

The learned advocate for the petitioner has submitted that an absolutely false accusation has been made against the petitioner. The agreement with the Applied Solar Technology was wrongly terminated. Whenever the workers employed demanded their rightful



dues, they were threatened of dire consequences. Even the petitioner was not spared on whose father's land, the tower stood. Only to silence the petitioner and others who were aggrieved by the functioning of the company of which the informant is the Executive of Operations, this case has been filed. The entire allegation has been cooked up in order to prevent the petitioner and others from raising any hue and cry at their manner of functioning.

Regard being had to the nature of accusation against the petitioner, he is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Aurangabad, in connection with Barun P. S. Case No. 143 of 2019, subject to the conditions as laid down



under Section 438 (2) Cr.P.C.

The application stands allowed.

(Ashutosh Kumar, J)

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