

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.859 of 2021

Arising Out of PS. Case No.-303 Year-2018 Thana- MAJHAULIA District- West Champaran

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SANJEET KUMAR CHAUDHARY Son of Prabhu Chaudhary Resident of
Village- Hindu Chakiya, P.S.- Chakiya, Distt- East Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar Mishra, Advocate

For the Opposite Party/s : Mr. Manoj Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

4 03-05-2021

In view of sudden resurgence of COVID – 19 infection there is limited functioning of the High Court and therefore the matter has been listed for consideration through virtual mode.

Learned counsel for the petitioner is expected to honour his undertaking given in the instant case for depositing the requisite court fee and to remove the defects as pointed out by office when called upon to do so by the office.

Heard learned counsel for the petitioner as well as learned APP for the State.

The petitioner seeks bail in Majhauriya P. S. Case No. 303 of 2018 registered for the offence under Section 387 IPC.

The informant has alleged that he has been threatened by pasting of pamphlets on his business premises and by letters forcing him to pay Twenty Lakh Rupees. The FIR is against unknown persons.

Learned counsel for the petitioner submits that other than statement of co-accused there is nothing incriminating to connect the petitioner with the offence. His implication is only because he has four criminal antecedents. The petitioner is in custody in



connection with this case since 06.12.2019. The petitioner is on bail in one out of the four pending cases from before. Similarly situated co-accused namely Mani Bhushan and Sohan Kumar have been allowed bail in Cr. Misc. No. 18106 of 2020.

Learned APP for the State opposed the prayer for bail.

Considering the rival submissions this Court is inclined to allow the petitioner's prayer for bail.

Accordingly, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/-(Ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, West Champara, Bettiah in connection with Majhauriya P. S. Case No. 303 of 2018, 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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