

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5869 of 2021

Arising Out of PS. Case No.-208 Year-2019 Thana- MANER District- Patna

Jaiguru @ Jai Viru @ Jai Viru Rai, Son of Radhey Shyam Rai, Resident of
Village - Khaspur Chakiya Tola, P.S.- Maner, Distt.- Patna.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shambhu Sharan Singh, Advocate

For the Opposite Party/s : Mr.Anand Kishore Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

6 18-08-2021 The matter has been taken up today for
consideration through video conferencing.

The learned counsels are appearing and making
submissions from their residence. The Court Master and
Secretary are also part of this virtual Court proceedings from
their homes, all with the aid of audio visual technology.

Heard learned Counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in connection with Maner
P.S. Case No.208 of 2019 registered for the offence punishable
under Section 387/34 of the Indian Penal Code.

It is alleged that one unknown person came to the
informant's jewellery shop and has handed over a letter to the
effect that the informant should pay five lacs rupees to the



instant petitioner, failing which he may be murdered.

Counsel for the petitioner submits that his implication in this case is a sequel to the *mala fide* intention of the police authorities, which is evident from the order dated 08.08.2018 passed in Cr.Misc. No.22947 of 2018, whereby this Court had stayed the requirement of petitioner's attendance at the police station periodically. The petitioner had complained that Officer-in-Charge of Maner Police Station is unnecessarily assaulting and misbehaving with him. It is submitted that the petitioner is on bail in three, out of four cases pending against him since before. In the instant case, he has remained in custody since 11.09.2019. The investigation also does not reveal reliable material so as to connect the petitioner with the instant occurrence. Reference to paragraph 44 of the case diary by the Additional Sessions Judge in rejection of the petitioner's prayer for bail, is of no significance as it only contains the criminal antecedents of the petitioner.

Learned APP for the State has opposed the prayer for bail. It is submitted that paragraph 44 of the case diary contains the petitioner's antecedents.

Considering the rival submissions as also the facts and circumstances of the case, this Court for the purposes of



grant of bail is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail of the petitioner is allowed.

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 Miss Nutan Kumari, J.M., 1st Class, Danapur, in connection with Maner P.S. Case No.208 of 2019, 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.

This Court would expect that the petitioner's counsel would honour his undertaking in the instant proceedings regarding supply of the requisite court fee etc. within two weeks



from the date he is called upon to do so by the office.

(Madhuresh Prasad, J)

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