

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5045 of 2022

Arising Out of PS. Case No.-157 Year-2020 Thana- SULTANGANJ District- Bhagalpur

Illu Kumar @ Jai Kumar Son of Gopal Chaudhury Resident of Village-
Pildauri, P.S.- Sultangunj, Distt.- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Swapnil Kumar Singh
For the Opposite Party/s : Mr. Nirmala Kumari, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 21-06-2022 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with
Sultangunj P.S. Case No. 157 of 2020 registered for the offence
under Sections 323, 341, 384, 385, 379, 386, 387 and 34 of the
Indian Penal Code.

The accused/petitioner is named in the F.I.R. and is in
custody since 07.09.2021.

The allegation against the petitioner is to commit
extortion by putting the informant in fear of death and demand
for ransom of Rs.25,000/- (Rupees Twenty Five Thousand).

Learned counsel appearing on behalf of the petitioner



submitted that the petitioner has been involved in the present case on the basis of previous enmities and the allegation levelled against the petitioner is not specific rather the same is general and omnibus in nature. It has also been submitted that the main co-accused, namely, Santosh Sah, has already been granted bail by one of the learned Co-ordinate Bench of this Court vide order dated 23.09.2021 passed in Cr. Misc. No. 13328 of 2021. It has further been submitted that the petitioner is involved in two cases, as mentioned in paragraph no.3 of the bail petition, and he is on bail in both the cases.

Learned APP appearing on behalf of the State vehemently opposes the prayer for bail of the petitioner.

Considering the facts and circumstances as mentioned above, as the allegation is very much general and omnibus against the petitioner as regard to demand of ransom in the background of previous enmities, let the petitioner, above named, is directed to be released on bail in connection with Sultangunj P.S. Case No. 157 of 2020 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate- 1st Class, Bhagalpur, subject to the following conditions:



“(i) Accused/Petitioner shall cooperate in the trial and shall be physically present on each and every date before the Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the Trial Court, only on medical ground of the petitioner duly supported by the documents.

(ii) That one of the bailors shall be Gopal Chaudhury, who is the father of the petitioner and deponent of the present bail petition.”

(Chandra Shekhar Jha, J)

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