

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12837 of 2022

Arising Out of PS. Case No.-668 Year-2020 Thana- NATHNAGAR District- Bhagalpur

Triveni Mandal @ Triveni Kumar, Son of Late Ajab Lal Mandal, Resident of
Village- Kanjhia, P.S.- Madhusudanpur, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pranav Kumar Jha, Advocate

For the Opposite Party/s : Mr. Bal Mukund Pd. Sinha, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 02-08-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Let the defect (s), as pointed out by the office, be removed within a period of four weeks from the date of resumption of physical filing and physical removal of defect.

In the present case, the petitioner seeks bail in connection with Nathnagar (Madhusudanpur) P.S. Case No. 668 of 2020, registered for the alleged offences under Sections 341, 323, 504, 353, 385 and 34 of the Indian Penal Code.

As per the prosecution case, the petitioner and other co-accused persons demanded extortion money of Rs. 50,000/- from the informant, who is a Ward Member, for allowing him to complete his work of *Nal Jal Yojna*.

Learned counsel for the petitioner submits that the



petitioner has been falsely implicated in this case due to land dispute. The petitioner never demanded any money. In fact, a complaint was made about irregularities committed in *Nal Jal Yojna* and in retaliation thereof, the instant case has been lodged against the petitioner and others. Learned counsel further submits that the other co-accused persons have been granted anticipatory bail by the learned trial court and this petitioner was not allowed privilege of bail as he was having three criminal cases. The charge sheet has been submitted in this case and the petitioner is in custody since 30.09.2021.

Learned APP opposes the prayer for bail submitting that the petitioner and other co-accused persons have obstructed the Government scheme and demanded the extortion money.

Having regard to the facts and circumstances of the case and the submissions made hereinabove and further considering the submission of charge sheet and the period of custody of the petitioner, he is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Bhagalpur, in connection with Nathnagar (Madhusudanpur) P.S. Case No. 668 of 2020, subject to the conditions mentioned in Section 437 (3) of the Code of



Criminal Procedure and also the following conditions :

- (i) The bail bond of the petitioner will be accepted only after framing of charge, if not already framed.
- (ii) One of the bailors will be a close relative of the petitioner.
- (iii) The petitioner will remain present on each and every date fixed by the court below.
- (iv) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

V.K.Pandey/-

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(Arun Kumar Jha, J)

