

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27982 of 2021

Arising Out of PS. Case No.-23 Year-2019 Thana- GOVINDPUR District- Nawada

CHANDAN YADAV Son of Late Bhagirath Yadav Resident of Village -
Benipur, P.S.- Rupow, District - Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Man Mohan Kumar,Adv

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

7 29-03-2022 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

A supplementary affidavit, carrying out necessary correction in the main petition, has been filed on behalf of the petitioner, which is kept on record.

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

Petitioner seeks bail in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 504, 447, 386, 387, 379 of the Indian Penal Code.

The prosecution case, in short, is that the informant received the secret information on 06.02.2018 at about 16.00 O' clock that one Contractor namely Pappu Singh constructed road



and on 03.02.2019 in the night petitioner and 10 to 12 other persons reached at place of occurrence and assaulted labourers and snatched their mobile and they demanded extortion from Contractor and stopped the road construction work and it is further alleged that they regularly demanded extortion from different mobiles.

Learned counsel appearing for the petitioner submits that the petitioner has falsely been implicated in the present case only on the basis of suspicion. He further submits that during investigation the prosecution did not disclose that on whose mobile No. the petitioner has demanded extortion and the police, after investigation, submitted chargesheet on 28.09.2019 and the petitioner is in custody since 01.08.2019.

Learned A.P.P. for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner carries twelve more cases other than the present one.

Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail **after framing of the charges** on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in



connection with Govindpur Police Station Case No.23 of 2019,
with the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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