

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27989 of 2021

Arising Out of PS. Case No.-479 Year-2019 Thana- NAUBATPUR District- Patna

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KANHAI SINGH @ KANHAI KUMAR Son of Late Ranvijay Singh
Resident of Village - Chechaul, P.S.- Naubatpur, Dist.- Patna.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mrs. Sucheta Yadav, APP.

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 29-01-2022 Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State in virtual court

proceeding.

Let the defects, as pointed out by the office, be

removed within four weeks of start of normal functioning of the

physical court.

Petitioner seeks bail in connection with Naubatpur P.S.

Case No. 479 of 2019 registered for the offences punishable

under Sections 387, 506, 120(B) of the IPC.

The prosecution case, in brief, is that the informant

alleges that he was owner of poultry shop and on 16.07.2019

petitioner demanded rupees three lacs in extortion from mobile

no. 7765007512 and threatened that if the demand is not

fulfilled, he would be killed. Again the demand was made on



18.07.2019 through another mobile number.

Learned counsel for the petitioner submits that petitioner has committed no offence and he has falsely been implicated in the present case. It is further submitted that no occurrence has been taken place as mentioned in the FIR and the petitioner has never demanded any extortion money from the informant. He further submits that it appears from the FIR itself that no offence is made out as no extortion money has been given to the petitioner. He further submits that police after investigation submitted charge sheet against the petitioner and petitioner is in custody since 02.01.2020.

The learned Additional Public Prosecutor on the basis of material available on the record and case diary opposed the prayer of bail. He further submits that in para 3 of the bail petition, petitioner has mentioned that four cases is pending against him but letter dated 03.01.2022 sent by Officer in Charge of Naubatpur police station, district Patna reveals that petitioner carries seven cases in his credit.

Learned counsel for the petitioner submits that prosecution has shown one more case i.e. Naubatpur P.S. Case No. 395 of 2019 against the petitioner but till date he has not been remanded in that case.



Considering the aforesaid facts and circumstances as well as period of custody, 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 learned Additional Chief Judicial Magistrate-II, Danapur, Patna in connection with Naubatpur P.S. Case No. 479 of 2019, subject to 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 absence on two consecutive dates without sufficient reason, his 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.

3. 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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