

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19722 of 2022

Arising Out of PS. Case No.-115 Year-2022 Thana- BIHTA District- Patna

Mukendra Kumar S/o Ram Ayodhya Singh R/o Milki tola, P.S.- Charpokhri,
District- Bhojpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Om Prakash Kumar, Advocate.

For the Opposite Party/s : Mr.Md. Matloob Rab, APP.

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 19-07-2022 The learned counsel for the petitioner is directed to

remove all the defects pointed out by the Stamp Reporter within

one month.

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

Petitioner seeks regular bail in connection with Bihta
P.S. Case No. 115 of 2022 registered for the offence under
Section 120B of the Indian Penal Code and Sections 7 and 12
of the Prevention of Corruption Act, 1988.

As per allegation some owners and drivers of
concerned vehicles were indulged in illegal transporting of
mined sand and the same was being committed in collusion with
the present petitioner and other co-accused persons who are
alleged to have extorted money from the said owners/drivers in



order to provide them help in transporting the illegally mined sand.

The main submissions advanced by learned counsel for the petitioner are that as per FIR the petitioner is alleged to have extorted money from vehicle owners and drivers but any of the owners/drivers has not come before the police or any other Law Enforcement Agency to raise his grievance with regard to the allegation of extortion and, as per the seizure list attached to the FIR only one mobile phone is stated to have been recovered from the possession of this petitioner and the same allegation is against co-accused Ravi Shankar Singh who has been granted bail by the Court below but despite being the same position in respect of petitioner he has not been considered for bail. Further submission is that petitioner is a Government employee and from his possession any part of the alleged extorted money was not recovered and against him the investigation has been completed and he has been languishing in jail since 10.02.2022.

Learned APP appearing for the State has opposed the bail prayer.

Heard both the sides and perused the FIR and the seizure list attached to the FIR. In respect of the allegations made in the FIR the prosecution is mainly relying upon



electronic evidence and from the possession of petitioner only a mobile phone is stated to have been recovered and the petitioner, who is a Government employee has been languishing in jail since 10.02.2022 and one similar situated co-accused has been considered for bail by the Court below, in my view a lenient approach can be taken in respect of petitioner's prayer let the petitioner 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 concerned Court in Connection with Bihta P.S. Case No. 115 of 2022.

(Shailendra Singh, J)

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