

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 34456 of 2021

Arising Out of PS. Case No.-448 Year-2020 Thana- CHANPATIA District- West Champaran

Pramod Singh S/o Late Rambriksh Singh R/o village- Kudwa Mathia
Kumarbagh, P.S.- Chanpatia (Kumarbagh O.P.), District- West Champaran

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chitrangan Sinha, Snr. Adv.

For the Opposite Party/s : Mr. Raj Ballabh Singh, APP.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 15-02-2022 Let the defects, if any, be removed within four weeks
of start of normal functioning of the physical court.

Heard learned counsel for the petitioner and learned
counsel for the informant as well as learned APP for the State.

Petitioner seeks bail in connection with Chanpatia
(Kumarbagh O.P.) P.S. Case No. 448/2020 registered for the
offences punishable under Sections 387/34 of the Indian Penal
Code.

The prosecution case as traced out from the written
petition of the informant Chandra Bhushan Singh, in short is that
he runs business of transportation named as Jai Maa Kali. He
along with others gets the rack of stone chips transported in the
name of Jai Maa Kali enterprises and got the same unloaded in
personal care and due to which petitioner used to abuse him and



his family members. His men are in jail and one of them namely Abhyas singh used to extend threat at the instance of petitioner for dire consequences by mobile no. 8809739418 and 8969672941 on his mobile for handing over custody and care of aforesaid rack of stone chips to the petitioner and also threatened by putting fear of death to pay Rs. One lakh per month to the petitioner.

Learned counsel for the petitioner submits that petitioner has falsely been implicated in the present case. He has further submitted that it appears from the F.I.R itself the allegation of extortion against the another co-accused namely Abhyas Singh. He has further submitted that due to business rivalry, the petitioner has falsely implicated in this case. That the petitioner is in custody since 26.02.2021.

The learned Additional Public Prosecutor opposed the prayer of bail and submits that petitioner has carries thirteen criminal antecedent but fairly submits that there is no specific allegation against the petitioner of extortion.

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 Chief Judicial Magistrate, Bettiah, West Champaran, in connection with Chanpatia (Kumarbagh O.P) P.S.



Case No. 448 of 2020, 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.

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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