

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28179 of 2022

Arising Out of PS. Case No.-53 Year-2022 Thana- KOPA District- Saran

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Siyaram Pandit Son of Hushaini Pandit Resident of Village - Basmanpur,
Police Station- Motihari Muffasil, District - East Champaran, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nilendu Kumar Choudhary, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Sharma, Advocate

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 26-07-2022 Heard learned counsel appearing on behalf of the

petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Kopa P.S.
Case No. 53 of 2022 registered for the offence under Sections
384 and 34 of the Indian Penal Code.

The accused/petitioner is named in the F.I.R. and is in
custody since 30.03.2022.

The allegation against the petitioner is to extort from
sand loaded truck, alongwith other co-accused persons.

Learned counsel appearing on behalf of the petitioner
submitted that the allegation, as regard to extortion, is specific
against co-accused, namely, Dilip Singh, who is the driver of the



police vehicle. It is submitted that the allegation against the petitioner is limited only to accompany with other co-accused persons, without having any overt act. While concluding the argument, it is submitted that petitioner is a man of clean antecedent and, moreover, investigation in this case is complete for which chargesheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State, while opposing the prayer of bail, fairly conceded that the allegation, as regard to extortion, is against Dilip Singh, as per F.I.R.

Considering the facts and circumstances as mentioned above, as there is no allegation, as regard to extortion, against the petitioner, rather same is limited only to accompany with other co-accused persons in police vehicle, in official capacity coupled with the fact that chargesheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Kopa P.S. Case No. 53 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Saran/concerned Court, subject to the following conditions:

“(i) Accused/Petitioner shall



cooperate in the trial and shall be physically present on each and every date before the Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the Trial Court, only on medical ground of the petitioner, duly supported by the documents.

(ii) That one of the bailors shall be Manoj Pandit, who is the son of the petitioner and deponent of the present bail petition.”

(Chandra Shekhar Jha, J)

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