

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41009 of 2021

Arising Out of PS. Case No.-123 Year-2021 Thana- SAHAR District- Bhojpur

ASHOK SINGH Son of Dudheshawar Singh Resident of Village-
Muzaffarpur, P.S.- Sahar, District- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vipin Kumar, Sr. Adv.

For the Opposite Party/s : Mr.Dr. Ajeet Kumar, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 04-01-2022 The instant case has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID 19 Pandemic, requiring social distancing.

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

The petitioner seeks regular bail in connection with Sahar PS case no. 123 of 2021 instituted for the offences punishable under Sections 341, 323, 384, 385, 420, 388, 504, 506/34 of Indian Penal Code.

The allegation is regarding unknown miscreants having been engaged in intercepting trucks and demanding extortion money on the pretext of enabling their smooth transit without paying any fine pertaining to over-loading of the trucks.



It is further alleged that one bike borne miscreant had stopped the truck of the informant and had extorted certain amount of money for the purposes of smooth transit of his truck loaded with sand, however subsequently, it appears that the said miscreant started pressurizing the informant for making the balance payment, which was due to be paid. Though the name of the petitioner does not find place in the contents of the fardbeyan of the informant but he has been made an accused in the present case.

The learned Senior counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the present case, is having a clean antecedent and is languishing in custody since 07.06.2021. The learned Senior counsel for the petitioner has further submitted that no test identification parade has been held till date so as to connect the petitioner with the alleged crime. It is also submitted that if at all anybody is having complicity in the matter, it is the Officer-in-charge of the concerned police station who is accused no. 2 in the present case. The learned Senior counsel for the petitioner has further submitted that the charge sheet has already been filed in the present case and investigation is complete, hence no prejudice would be caused to the prosecution, in case the



petitioner is enlarged on bail.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the fact that no test identification parade has been held till date so as to connect the petitioner with the alleged crime, I deem it fit and proper to admit the petitioner to the privilege of bail. Accordingly, the abovenamed petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned court of Additional District & Sessions Judge-X, Bhojpur at Ara in connection with Sahar PS case no. 123 of 2021.

(Mohit Kumar Shah, J)

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