

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42597 of 2021

Arising Out of PS. Case No.-714 Year-2020 Thana- NAGAR District- Vaishali

VIKASH @ VIKASH KUMAR @ PAKLA Son of Nagina Sahani Resident of
Village - Nakhash Chowk, P.S.- Hajipur Town, District - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Awadhesh Kumar Singh, Advocate.

For the Opposite Party/s : Mr.Rajendra Nath Jha, APP.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 31-01-2022 Heard the parties through video conferencing.

Let the defect(s), if any, be removed within two weeks
of the complete start of the physical Court in normal course.

The petitioner, who is in custody since 12.12.2020,
seeks regular bail in connection with Hajipur Town P.S. Case
No. 714 of 2020 for the offence punishable under Sections
384/387/34 of the Indian Penal Code and Section 27 of the
Arms Act.

The prosecution case, in brief, is that the petitioner
along with Manish Sahni demanded Rs.5,00,000/- as extortion
from the informant for allowing him to construct the boundary
wall and extended threatening of dire consequences if the
informant does not fulfill the demand of extortion.

Learned counsel appearing on behalf of the petitioner



submits that the petitioner is innocent and he has falsely been implicated in this case. He further submits that a false case of extortion has been lodged by the informant. Nothing has been recovered from the possession of the petitioner and there is no factum of alleged extortion of money from the informant. Petitioner is in custody since 12.12.2020.

Learned A.P.P. for the State has opposed the prayer for grant of bail to the petitioner and submits that many cases of similar nature are pending against the petitioner, as such, the petitioner does not deserve to be released on bail.

Considering the aforementioned facts and circumstances of the case, period of custody and nothing having been recovered from the possession of the petitioner, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, Vaishali at Hajipur in connection with Town P.S. Case No. 714 of 2020, subject to the following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.



(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(4) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bonds.

(5) The petitioner is required to make his attendance before the concerned police station where he resides every week at 8 AM on Saturday till conclusion of the trial and the concerned SHO of the police station shall submit his monthly attendance report to the Superintendent of Police, Vaishali at Hajipur.

(Purnendu Singh, J)

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