

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44448 of 2021

Arising Out of PS. Case No.-33 Year-2021 Thana- KINJAR District- Jehanabad

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AJAY KANDU @ RAVI JEE S/o Late Fhagu Sao Resident of Village-
Chauhar, P.S.- Karpi, District- Arwal

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Krishna Prasad Singh, Sr. Adv.
		Mr. Saket Kumar Singh, Adv.
For the Opposite Party/s :		Dr. Mrityunjaya Kr.Gautam, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

6 23-03-2022 Heard learned senior counsel for the petitioner and

learned A.P.P. for the State.

The petitioner has preferred this application for grant
of regular bail in a case registered under sections 385, 387 and
506 of the Indian Penal Code.

As per the prosecution case, it is stated by the
informant that he is the Administrator of a Hot Mix plant. The
petitioner as also two unknown accused persons came and made
a demand of Rs.2 lacs. On the informant refusing to pay the
sum, on the father and brother of the informant going to attend a
marriage function, once again the petitioner threatened them of
dire consequences in case the payment was not made.

It is submitted by learned senior counsel for the



petitioner that the petitioner has been falsely implicated in the case. The first occurrence is alleged to have taken place on 10.4.2021 and thereafter on 23.4.2021. The F.I.R. was registered after much delay on 26.4.2021. The cause of false implication of the petitioner is his antecedents. No offence under section 387 of the Indian Penal Code is made out while section 385 of the Indian Penal Code is bailable. The petitioner is in custody since 27.4.2021. Learned senior counsel referring to the certified copy of the order of the learned trial court submits that charge has been framed in the case. The certified copy of the ordersheet of the learned trial court is taken on record.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the facts of the case, the petitioner having remained in custody for about 11 months and charges having been framed in the case, the Court directs the petitioner to be enlarged on bail in connection with Kinjer P.S. Case no.33 of 2021 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate 3rd, Arwal on the following conditions:

(i) one of the bailors of the petitioner shall be his close relative.



(ii) the petitioner shall remain present in the learned trial court on each date of the trial and shall cooperate in the trial.

In case of violation of any of the conditions, the learned trial court may cancel the bail bond of the petitioner and take him into custody till conclusion of the trial.

(Partha Sarthy, J)

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