

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46898 of 2021**

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

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MANISH SAHNI Son of Nagina Sahni Resident of Village - Nakhash
Chowk, P.S.- Hajipur Town, Dist.- Vaishali.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr.Anand Kishore Choudhary, APP.

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH

ORAL ORDER

2 21-03-2022 Heard learned counsel appearing on behalf of the
petitioner and learned A.P.P. for the State.

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

The petitioner 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 co-accused Vikash @ Vikash Kumar @ Pakla



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 16.12.2020. Similarly situated co-accused namely Vikash @ Vikash Kumar @ Pakla has been enlarged on bail by this Court vide order dated 31.01.2022 passed in Cr. Misc. No. 42597 of 2021.

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 under which his house is located every week at 8 AM on Saturday till conclusion of the trial and on any single default without any valid reasons on the part of the petitioner, his bail bonds shall be cancelled and the concerned SHO of the police



**station shall submit his monthly attendance report to the
Superintendent of Police having jurisdiction.**

(Purnendu Singh, J)

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