

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40324 of 2022**

Arising Out of PS. Case No.-58 Year-2022 Thana- ARWAL District- Jehanabad

Ajeet Kumar @ Ajeet Kumar Singh S/O Late Shiv Narayan Singh Resident of
village- Madan Singh ka Tola, P.S. and District- Arwal.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nitya Nand Neeraj, Advocate

For the Opposite Party/s : Mr. Arvind Kumar Pandey, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER**

2 23-08-2022 Heard learned counsel appearing on behalf of the
petitioner and learned APP 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 Arwal
P.S. Case No. 58 of 2022 registered for the offence under
Sections 341, 323, 386, 506, 411 and 34 of the Indian Penal
Code and Section 37(C) of the Bihar Prohibition and Excise
(Amendment) Act, 2018.

The accused/petitioner is named in the F.I.R. and is in
custody since 16.02.2022.

The allegation against the petitioner is to commit
extortion, wherever, a demand of Rs.15,000/- (Rupees Fifteen
Thousand) was made, alongwith other co-accused persons,



while petitioner was found in drunken condition.

Learned counsel appearing on behalf of the petitioner submitted that, the allegation against the petitioner is only to be found in drunken condition. It is also submitted that the allegation of extortion is specific against co-accused, namely, Gautam Kumar. It is submitted that this is not a case of recovery of illicit liquor from the physical possession of the petitioner. It is pointed out that petitioner is involved in one more criminal case, in which he is on bail. While concluding the argument, it is submitted that 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 allegation, as regard to demand of money, is against co-accused, namely, Gautam Kumar, as per F.I.R.

In view of the facts and circumstances, as mentioned above, as allegation is only limited to be found in the drunken condition, where specific allegation, as regard to extortion, is against co-accused, namely, Gautam Kumar 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 Arwal P.S. Case No. 58 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
Special Judge, Excise-II, Jehanabad/concerned Court, subject to
the conditions as laid down u/s 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

Ankit/-

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