

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49306 of 2021

Arising Out of PS. Case No.-2 Year-2020 Thana- DALSINGHSARAI District- Samastipur

SONU PASWAN @ MITHILESH PASWAN S/o- SHYAM PASWAN
Resident of Village- Keota Piprpati, P.S.- Dalsing Sarai District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alok Kumar Sinha, Adv
For the Opposite Party/s : Mr.Amitesh Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 18-04-2022 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

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

Petitioner seeks bail in a case registered for the offences punishable under Sections 386/34 of the Indian Penal Code, 1860.

The prosecution case, in short, is that co-accused, Gopal Choudhary and Praveen Thakur boarded on without number of motorcycle came to the egg shop of informant with one unknown person. It is alleged that co-accused Praveen Thakur on the point of pistol demanded extortion of Rs. One Lac within 24 hours otherwise he alongwith his son would be



killed. It appears that Praveen Thakur is habitual veteran offender and he is involved in so many cases of heinous offences.

Learned counsel appearing for the petitioner submits that the petitioner is not named in the FIR. He has falsely been implicated in the present case. He further submits that the name of the petitioner has been transpired in the present case only on the basis of the re-statement of the informant during investigation. He further submits that it appears from the FIR that the allegation of demanding extortion of Rs.One Lac is against co-accused, namely, Praveen Thakur. He further submits that there is no delivery of extortion money and till date no T.I. Parade has been conducted by the prosecution and the petitioner is in custody since 20.01.2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries ten more cases other than the present one.

Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Dalsingsarai



Police Station Case No.02 of 2020, with the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

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

And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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