

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56959 of 2021

Arising Out of PS. Case No.-448 Year-2020 Thana- CHANPATIA District- West Champaran

Abhyas Singh Son of Ramshish Singh Resident of - Kudwa Matia, P.S.-
Kumarbagh O.P., District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Kumar Gupta

For the Opposite Party/s : Mr. Anant Kumar-1, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 07-04-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Let the defects, as pointed out by the office, be removed within four weeks of start of normal functioning of the physical court.

Petitioner seeks bail in a case registered for the offences punishable under Sections 387/34 of the Indian Penal Code.

According to prosecution case, as per the written report of the informant Chandra Bhusan Singh is that he runs business of transportation named as Jai Maa Kali. He along with others gets the rack of stone chips transported in the name of Jai Maa Kali Enterprises and got the same unloaded in personal care and due to which Pramod Singh used to abuse him and his



family members. His men are in jail and one of them namely Abhyas Singh, petitioner used to extend threat at the instance of Pramod Singh for dire consequences by mobile no. 8809739418 and 8969672941 on his mobile for handing over custody and care of aforesaid rack o stone chips to the co-accused Pramod Singh and also threatened by putting fear of death to pay Rs. One lac per month to the co-accused Pramod Singh.

Learned counsel for the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case. He further submits that it appears from the F.I.R. that the allegation against the petitioner that he demanded the extortion but not date and time mentioned in the F.I.R. He further submits that due to business rivalry the petitioner has falsely been implicated in the present case. He further submits that similarly situated, co-accused, namely, Pramod Singh has been granted bail by a co-ordinate Bench of this Court vide order dated 26.06.2021 passed in Cr. Misc. No. 34456 of 2021. The petitioner is in custody since 26.02.2021.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail on the ground that petitioner carries ten criminal antecedents other than the present one.



Considering the aforesaid facts and circumstances, 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 the learned Court below where the case is pending in connection with Chanpatia (Kumarbagh O.P.) P.S. Case No. 448 of 2020, subject to 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 absence on two consecutive dates without sufficient reason, his 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.

3. 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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