

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52626 of 2022

Arising Out of PS. Case No.-112 Year-2021 Thana- GHOGHARDIHA District- Madhubani

Shivam Kamat @ Shivam Kumar Kamat Son of Late Prabhu Kamat R/O Village - Phulparash Ward No.-2, P.S.- Phulparasash, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Jha, Advocate

For the State : Mr. Tarun Prasad Mandal, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 12-12-2022 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 Ghoghardiha P.S. Case No. 112 of 2021 registered for the offence under Sections 386, 504, 506 and 34 of the Indian Penal Code and Section 27 of the Arms Act.

The accused/petitioner is not named in the F.I.R. and is in custody since 18.02.2022.

The allegation against the petitioner is to ask for extortion of Rs.5 Lakh, alongwith other co-accused persons.

Learned counsel appearing on behalf of the petitioner submitted that petitioner has been remanded in the present case from Phulparas P.S. Case No. 293 of 2021, where nothing surfaced during the course of investigation, which may incriminate



this petitioner with the present occurrence of extortion. It is also submitted that petitioner is involved in one more criminal case also on the basis of suspicion. 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 opposes the prayer of bail.

In view of the facts and circumstances, as mentioned above, as petitioner is in custody since 18.02.2022 coupled with the fact that chargesheet has been submitted, let the petitioner, above named, is directed to be released on bail in connection with Ghoghardiha P.S. Case No. 112 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 learned Sub Divisional Judicial Magistrate, Jhanjharpur (Madhubani)/concerned Court, subject to the following conditions:

“(i) That accused/petitioner shall cooperate in the trial and shall be physically present on each and every date before the Trial Court till conclusion of the trial and exemption from physical appearance be al-



lowed by the Trial Court, only on medical ground of the petitioner, duly supported by the documents.

(ii) That one of the bailors shall be the deponent of the present bail petition.”

(Chandra Shekhar Jha, J)

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