

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55914 of 2022

Arising Out of PS. Case No.-217 Year-2022 Thana- RAFIGANJ District- Aurangabad

Shivkumar Mehta S/O Bharat Singh @ Bharat Prasad Resident of village-
Panchu Bigha, P.S.- Rafiganj, District- Aurangabad, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Kumar, Adv

For the Opposite Party/s : Mr. Pushpa Sinha.1, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 16-12-2022 Today being Friday, matters are being taken up
through virtual mode, as per current procedure for hearing.

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

This Court would expect that the petitioner's counsel
would honour his undertaking in the instant proceedings
regarding supply of requisite court fee etc. within two weeks
from the date he is called upon to do so by the office.

Petitioner seeks bail in connection with Rafiganj P.S.
Case No. 217 of 2022 registered under Sections 385 and 386 of
the Indian Penal Code.

There is an allegation that a note has been sent to the
informant's Munshi at construction site of the bridge demanding
some extortion.



Learned counsel for the petitioner submits that name of the petitioner has surfaced in the course of investigation as being a member of extremist organisation which is behind the demand. The same is based merely on suspicion. As per allegation, co-accused Amarjeet, who had claimed to be a member of the organisation and had made a telephonic demand from the informant, has been allowed bail by a coordinate Bench of this Court in Cr. Misc. No. 50126 of 2022. The petitioner is in custody since 14.07.2022. There is two antecedents o the petitioner arising out of same occurrence.

Learned APP has opposed the prayer for bail.

Considering the rival submissions, prayer for bail on ground of parity with co-accused Amarjeet and period of custody, this Court, for the purposes of grant of bail, is, thus, inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail of the petitioner is allowed.

Let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M, Aurangabad, Bihar in Rafiganj P.S. Case No. 217 of 2022, subject to the following conditions:-

(i) That one of the bailors will be a close relative of the



petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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