

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No 55305 of 2022**

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

BARHU PASWAN @ SURENDRA PASWAN SON OF BHART PASWAN  
R/O VILLAGE- BAUNR, P.S.- RAFIGANJ, DISTT.- AURANGABAD

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr Dheeraj Kumar, Advocate

For the Opposite Party/s : Mr Satyendra Narayan Singh, APP

**CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD**

**ORAL ORDER**

**2      16-12-2022**                      Heard learned counsel for the petitioner and learned Additional Public Prosecutor (for brevity, APP) appearing for the State of Bihar through Virtual Mode.

The petitioner seeks bail in Rafiganj Police Station (for brevity, **PS**) Case No 217 of 2022 dated 19.06.2022 registered for the offence punishable under Sections 385, 386 of Indian Penal Code.

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

Learned counsel for the petitioner submits that name of petitioner has surfaced in the course of investigation as being a member of extremist organization 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 organization 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 13.07.2022. There is one antecedent of the petitioner in Rafiganj PS Case No 23 of 2013, in which he is on bail.

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 is allowed. Let the petitioner, above named, be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Aurangabad in Rafiganj PS 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.

Learned counsel for the petitioner is expected to honour his undertaking given in the instant proceedings today for depositing requisite Court fee and removing the defect (s), as pointed out, when called upon to do so.

**(Madhuresh Prasad, J)**

**M.E.H./-**

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