

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55931 of 2022

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

1. PRAKASH KUMAR @ GOLU BAITHA Son of Gauri Shankar Rajak
Resident of Village- Pachariya, P.S.- Rafiganj, District- Aurangabad
2. UDAY RAJAK @ AJAY RAJAK Son of Sitaram Rajak Resident of Village-
Chauthaiya, P.S.- Salaiya, District- Aurangabad

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tej Narayan Singh, Adv

For the Opposite Party/s : Mr. Syed Ehteshamuddin, 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 petitioners and learned
APP for the State.

This Court would expect that the petitioners' 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.

Petitioners seek 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 petitioners submits that name of the petitioners 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 petitioners are in custody since 14.07.2022. The petitioner no. 1 has no criminal antecedent and petitioner no. 2 has two antecedents 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 petitioners' counsel. Prayer for bail of the petitioners is allowed.

Let the petitioners above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of



learned court of Chief Judicial Magistrate, Aurangabad, 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
petitioners who will give an affidavit giving genealogy as to
how he is related with the petitioners. The bailor will also
undertake to inform the Court if there is any change in the
address of the petitioner.

(ii) That the petitioners will be well represented on each
date and if they fail to do so on two consecutive dates, their bail
bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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