

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.224 of 2022

Arising Out of PS. Case No.-68 Year-2021 Thana- BHITAHA District- West Champaran

RUPA KUSHWAHA Son of Gopal Kushwaha Resident of Village - Ghaghwa,
P.S. - Bhitaha, District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Milind Kumar Mishra, Advocate

For the Opposite Party/s : Mr.Raj Ballabh Singh, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 13-05-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual Court proceedings.

The petitioner seeks bail in a case registered for the
offences punishable under Sections 341, 323, 384, 385, 386,
504, 506 and 34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the
petitioner is in custody since 30.08.2021, charge-sheet has been
submitted in the case and has antecedent of three cases.

The informant alleges that the accused petitioner
along with other accused persons demanded extortion and
forcefully took away the loader machine of the informant and
when the extortion amount was paid, the loader machine was
released and further a demand of Rs. 1 lakh was made failing
which the informant would not be able to operate the loader



machine.

Learned counsel for the petitioner submits that though the petitioner is named in the F.I.R. but as far as allegation of demand of extortion is concerned, the same is general and omnibus in nature as no specific allegation is alleged that who amongst the accused had demanded extortion but as far as receiving of extortion amount is concerned, the same was received by Mukesh Kushwaha.

Learned A.P.P. for the State opposes the prayer for bail of the petitioner.

Considering the fact that the petitioner is in custody since 30.08.2021, charge-sheet has been submitted in the case and the allegation of demand of extortion is general and omnibus in nature, let the petitioner above named be released on bail on furnishing bail bond of Rs. 30,000/- (Rupees Thirty Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Bhitaha P.S. Case No. 68 of 2021 with a condition that one of the bailors shall be the father of the petitioner, Gopal Kushwaha.

Further, if the learned court below comes to a conclusion that after release the petitioner is trying to delay the



trial in any manner, the learned court below shall forthwith
cancel his bail bonds after recording reasons.

(Satyavrat Verma, J)

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