

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.970 of 2022

Arising Out of PS. Case No.-333 Year-2016 Thana- KHAGARIA District- Khagaria

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Pramod Paswan, Son of Shri Baldeo Paswan, Resident of Village- Dhusmuri
Bisanpur, P.S.- Muffasil, District- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar Singh, Advocate

For the Opposite Party/s : Mr.Jitendra Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 18-10-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Let the defect (s), as pointed out by the office, be
removed within a period of four weeks.

In the present case, the petitioner seeks bail in
connection with Khagaria (Muffasil) P.S. Case No. 333 of 2016
(G.R. No. 1156 of 2016) registered for the alleged offences
under Sections 341, 323, 386, 504, 506 and 34 of the Indian
Penal Code.

As per prosecution case, the petitioner and other co-
accused persons abused and assaulted the informant and
demanded Rs. 50,000/- as extortion money. Further allegation
against this petitioner is that he took Rs. 5,000/- as extortion
amount. The petitioner and other co-accused forcibly ploughed
the land of the informant.



The learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case. Land dispute is admitted and true fact of the case is that there is long standing dispute between the informant and his widowed aunt for which the civil suits are pending before the learned trial court. A number of counter cases have been filed. Learned counsel further submits that the petitioner is merely a crop sharer with the aunt of the informant and he used to protect the land of the widowed aunt of the informant who stays in Delhi. All the allegations against this petitioner are ornamental. The petitioner is in custody since 05.07.2021 and charge-sheet has been submitted.

Learned APP opposes the prayer for bail submitting that the petitioner is a habitual offender and is accused in five other cases. Learned APP further submits that the petitioner demanded extortion money and also got Rs. 5,000/- from the informant.

Perused the records.

Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the land dispute between the informant and his aunt and possibility of false implication of this petitioner and also considering the



submission of charge-sheet along with his period of custody, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-IVth, Khagaria in connection with Khagaria (Muffasil) P.S. Case No. 333 of 2016 (G.R. No. 1156 of 2016) subject to the conditions mentioned in Section 437(3) of the Code of Criminal Procedure and also the following conditions :

- (i) The bail bond of the petitioner will be accepted only after framing of charge, if not already framed.
- (ii) One of the bailors will be a close relative of the petitioner.
- (iii) The petitioner will remain present on each and every date fixed by the court below.
- (iv) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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