

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40875 of 2023

Arising Out of PS. Case No.-573 Year-2017 Thana- MOTIHARI TOWN District- East
Champaran

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Tarun Kumar @ Lal Sahab Son Of Karpuri Thakur Resident Of Village New
Chandmari, Ps- Motihari Town, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Abhishek Kumar, Advocate

For the Opposite Party/s : Mr.Pramod Kumar Pandey, APP

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 24-07-2023 Learned counsel for the petitioner is permitted to
remove defect (s), as pointed out by the office, if any, within a
period of four weeks on resumption of physical mode.

2. Heard learned counsel for the petitioner and learned
A.P.P for the State.

3. The petitioner has preferred this application for
grant of regular bail in connection with Motihari Town P.S. Case
No. 573 of 2017 dated 22.08.2017 registered for the offences
punishable u/ss 387 and 120B of the Indian Penal Code.

4. As per the prosecution case, the petitioner and the
co-accused persons are alleged to have demanded extortion
money from the informant on mobile phone.

5. Learned counsel for the petitioner has submitted



that the petitioner is innocent and has falsely been implicated in this case. The petitioner is not named in the F.I.R. The name of the petitioner has sprung up in the confessional statement of the co-accused Atul Kashyap who has already been granted bail by the Coordinate Bench of this court vide order dated 15.03.2018 passed in Cr. Misc. No. 5873 of 2018. Nothing has been recovered from the possession of the petitioner. The petitioner is accused in 11 other criminal cases as stated in para 3 of the bail petition. The petitioner is in custody since 05.08.2022.

6. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

7. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Motihari, East Champaran in connection with Motihari Town P.S. Case No. 573 of 2017 with the conditions :-

- (i) The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, his



bail bonds are liable to be cancelled.

(ii) If the petitioner is found involved in similar nature of offence in future, the prosecution will be at liberty to move for cancellation of his bail bonds.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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