

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54988 of 2023

Arising Out of PS. Case No.-134 Year-2023 Thana- MANIYARI District- Muzaffarpur

Sunil Kumar @ Sunil Mahto Son Of Late Kamal Mahto Village Hasanchak
Bangra, Ps- Sadar Dist- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nachiketa Jha

For the Opposite Party/s : Mrs. Sharda Kumari

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 25-08-2023 Heard the learned counsel for the petitioner and the
State.

2. The petitioner seeks bail, apprehending his arrest,
in connection with Maniyari P.S. Case No. 134 of 2023 dated
30.04.2023 registered for the offences punishable under
Sections 341, 323, 384, 427, 504, 506/34 of the Indian Penal
Code and Under Section 27 of the Arms Act.

3. As per the FIR, the allegation is that all the accused
persons including the petitioner demanded extortion of Rs.
5,00,000/-(Five Lakhs) from the informant.

4. Ld. counsel for the petitioner submits that the



petitioner is innocent and has falsely been implicated in this case. He further submits that in the background of some petty dispute, the present false case has been filed. There is no specific allegation against the petitioner. It is further submitted that similarly situated co-accused, Rajesh Kumar Chaudhary has already been enlarged on bail by a Co-ordinate Bench of this Court, *vide* order dated 19.08.2023 passed in Cr. Misc. No. 50886 of 2023.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier for anticipatory bail in this case.

6. It has further been stated that the petitioner has one criminal antecedent.

7. However, the learned APP for the State has opposed the prayer for bail.

8. Considering the aforesaid facts and circumstances, the petitioner, above-named, is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the Ld. Court No. 3 of J.M. 1st class



(West) Muzaffarpur, in connection with Maniyari P.S. Case No. 134 of 2023, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedent, the learned court below shall cancel the bail bond of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedent despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, the learned court below shall cancel the bail bond of the petitioner.

9. The learned counsel for the petitioner is directed to remove all the defects pointed out by the office within a period of one month and the Registry is directed to issue the certified copy of this order only after removal of office objections.

(Jitendra Kumar, J)

Amrendra/ramesh

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