

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57301 of 2023

Arising Out of PS. Case No.-427 Year-2022 Thana- AMAS District- Gaya

MUNNA KUMAR @ PAWAN KUMAR SON OF SARYU MANDAL
RESIDENT OF VILLAGE- KORAMDIH, PS- AMAS, DIST-
AURANGABAD

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mrs. Veena Kumari Jaiswal, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 31-08-2023 Heard the parties.

The petitioner is an accused in connection with Amas P.S. Case No. 427 of 2022 registered for the offences under sections 386, 387 and 34 of the Indian Penal Code lodged on 21.10.2022 by the informant, Raushan Kumar Gupta.

As per the prosecution story, the allegation is that the informant who runs a firm alleged that the accused persons came and after torturing the labours and taking their respective mobiles (five), demanded Rs. 1 lakh or to face the consequences. Accordingly, the FIR.

Learned Counsel for the petitioner submits that he is innocent and his name has come in the confessional statement of co-accused, Guddu Kumar and he has remained in custody since



21.01.2023 (as stated in paragraph 1 of the bail application) but no T.I.Parade conducted.

Learned APP for the State submits that they threatened the informant to pay Rs. 1 lakh or to face the consequences.

Considering the fact that his name has come in the confessional statement, no T.I.Parade conducted, he is in custody since 21.01.2023, this Court is inclined to extend him privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousands only) with two sureties of like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Sherghati (Gaya) in connection with Amas P.S. Case No. 427 of 2022, subject to the following conditions-:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial court itself;



(iii) the petitioner shall appear before the concerned police station every month for next one year to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of his bail bonds;

(v) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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