

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60304 of 2023

Arising Out of PS. Case No.-236 Year-2022 Thana- KALYANPUR District- Samastipur

Prabhat Kumar @ Prabhat Kumar Choudhary S/O Sanjay Chaudhary R/O
Village- Chak Haidar, P.S- Chakmehashi, Distt.- Samastipur.

... .. Petitioner/S

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Tiwary
For the Opposite Party/s : Mr.Madhura Nand Jha

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 01-11-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 341, 323, 307, 467, 385, 386, 504, 506/34 of the Indian Penal Code.

3. As per prosecution case, the informant was intercepted by the petitioner along with other accused persons and on the point of pistol brought him at poultry farm and also assaulted him. One Prabhat Kumar Chaudhary took away 1000/- cash from the informant and demanded Rs. 1,00,000/- as extortion.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. It is also submitted that the



alleged occurrence took place on 21.7.2022 but the instance case was lodged on 23.7.2022 after lapse of two days. No specific overt-act against the petitioner. He is languishing in judicial custody since 27.5.2023. Moreover, other co-accused persons have already been granted anticipatory bail by a co-ordinate Bench of this court vide order dt. 4.7.2023 passed in Cr. Misc. no. 63493 of 2022.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody period of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail **after framing of charge, if not framed**, in connection with Kalyanpur P.S. Case No. 236 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned J.M. 1st Class-cum-Addl. Munsif, Samastipur.

(Sunil Kumar Panwar, J)

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