

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64894 of 2023

Arising Out of PS. Case No.-160 Year-2022 Thana- KATEYA District- Gopalganj

Amresh Pal Son Of Shivnath Pal Resdient Of Village- Bhopatpur, Ps- Kateya,
Distt- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Umanath Mishra, APP

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

ORAL ORDER

2 12-10-2023 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.

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 Sessions Trial 466 of 2023 arising out of Kateya P.S. Case No. 160 of 2022 dated 19.04.2022 registered for the offences punishable u/ss 341, 323, 504, 506, 427, 379, 384, 147, 148 and 149 of the Indian Penal Code and section 27 of the Arms Act.

4. As per the prosecution case, the petitioner and the co-accused persons along with 15 unknown miscreants holding



lathi, danda and pistol are alleged to have assaulted the informant and destroyed his *bathan* on account of non-payment of Rs. 4,00,000 as extortion money. The co-accused Pawan Mishra also snatched Rs. 5,000/- from the informant and he threatened to kill if the said demand of *Rangdari* was not fulfilled.

5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner was granted regular bail by the learned Additional Session's Judge-IX, Gopalganj in B.P. No. 866 of 2022 on 12.09.2022 and the bail bond was furnished and accepted on 14.09.2022. Learned counsel has further submitted that the petitioner had gone to Saudi Arabi for his livelihood after getting bail and as soon as he came that his bail bonds have been cancelled for first appearance. Learned counsel has further submitted that it is a case of first misuse of privilege of bail. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 25.07.2023.

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, Gopalganj in connection with Sessions Trial 466 of 2023 arising out of Kateya P.S. Case No. 160 of 2022, with the condition/s:-

(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, the bail bond of the petitioner is liable to cancelled.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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