

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73634 of 2023**

Arising Out of PS. Case No.-294 Year-2018 Thana- GOVINDGANJ District- East
Champanan

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RAJAN CHUNNU @ RAJAN @ CHUNNU SON OF RAMESHWAR
SINGH @ RAMESHWAR OJHA RESIDENT OF VILLAGE -
MANANPUR, P.S. - GOVINDGANJ, DISTRICT - EAST CHAMPARAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma, Advocate

For the Opposite Party/s : Mr. Jai Narain Thakur, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 24-11-2023 Heard Mr. Umesh Chandra Verma, learned counsel
for the petitioner and learned APP for the State.

2. The petitioner is in judicial custody in connection with Govindganj P.S. Case No. 294 of 2018 registered under Section 387 of the Indian Penal Code lodged on 15.10.2018 by the informant, Manoj Kumar.

3. As per the prosecution story, the informant has alleged that he received a message of extortion of Rs. 50,000/- from Mobile NO. xxxx175264. Accordingly, FIR was lodged.

4. Learned counsel for the petitioner submits that his name has come in the confessional statement of Babul Pandey @ Babul Kumar who has been granted bail in Cr. Misc. No. 6194 of 2020 vide order dated 03.03.2020. Further submission



is that other co-accused, namely, Navin Sharma has also been granted bail in Cr. Misc. No. 1864 of 2023 vide order dated 28.02.2023. He further submits that for the discrepancy in the petition with the affidavit, on his own, he would like to deposit Rs. 500/- to the Patna High Court Legal Services Committee.

5. Learned APP, on the other hand, submits that the matter is of 2018 and he delayed coming into judicial custody which resulted into delay in trial. He has further taken this Court to paragraph-3 of the petition to show that cases of similar nature is/are against this petitioner.

6. In view of the fact that the others accused including Babul Pandey @ Babul Kumar on whose confessional statement his name cropped up have been granted bail, he is in judicial custody on 20.07.2023 (as stated in paragraph-4 of the petition, it would suffice if he is released on bail but only after the framing of charges as delayed coming into judicial custody.

7. Accordingly, ordered.

8. Let the petitioner be released on bail after framing of charges (subject to payment of Rs. 500/- as stated above), on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned 1st Additional Chief Judicial Magistrate, Motihari, East



Champaran in connection with Govindganj P.S. Case No. 294 of 2018 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/her *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/her bail bond by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months 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.

(Rajiv Roy, J)

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