

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73777 of 2023

Arising Out of PS. Case No.-506 Year-2023 Thana- WAJIRGANJ District- Gaya

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SANJIT KUMAR @FANFAN S/O MAHENDRA YADAV VILLAGE-
KUSUMHAR, PS. WAZIRGANJ, DIST. GAYA

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bijendra Kumar

For the Opposite Party/s : Mr.Atul Chandra

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 23-11-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Wazirganj P.S. Case No. 506 of 2023 registered for the offences punishable under Sections 341, 323, 354(A), 509, 386, 387/34 of the IPC.

3. As per prosecution case, petitioner on earlier occasion made indecent behaviour by torturing physically and mentally the widow daughter-in-law of the informant for which she lodged the case against the petitioner. It is further alleged that petitioner demanded two lakh rupee and threatened to kill widow daughter-in-law of the informant. It is further alleged that on 10.08.2023, petitioner and other started abusing and assaulting the informant and informant's daughter-in-law and



again demanded two lakh rupees and threatened to fulfill the said demand otherwise they would be killed. It is further alleged that on 12.08.2023, petitioner again demanded two lakh rupees and started abusing and threatened to kill them for non-fulfillment of aforesaid demand.

4. Learned counsel for the petitioner submits that petitioner is in custody since 13.08.2023 and bears criminal antecedent of three cases in which he is on bail and orally submits that all the three cases have been filed by informant and his family. Charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence. He further submits that petitioner was a renter in the house of informant's daughter-in-law at Gaya and during that period, a sweet relationship developed between both and the informant's daughter-in-law demanded Rs. 2,50,000 from the petitioner and petitioner gave the said amount and thereafter at the time of demanding the said amount from informant's daughter-in-law, the daughter-in-law of the informant changed her mind and with dishonest intention ousted petitioner from her rental house. He further submits that Rs. 50,000/- was paid to the petitioner by the informant's daughter-in-law but the rest of money i.e. Rs. 2,00,000/- was not paid to the petitioner and the



petitioner regularly demanded his debt money and due to said reason informant's daughter-in-law filed a frivolous case against the petitioner. He further submits prudently and pragmatically, it is not possible that petitioner will ask the informant's daughter-in-law to come and again she was being assaulted and she was being sought for ransom. He further submits that on account of previous dispute, petitioner has been falsely roped in the present case.

5. The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.

6. Considering the facts and circumstances of the case, period of custody, charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence, argument advanced on behalf of both sides and also taking into consideration the material available on record, let the petitioner above named be released on bail, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Gaya in connection with Wazirganj P.S. Case No. 506 of 2023, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn



the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

(iii) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Alok Kumar Pandey, J)

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