

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43830 of 2024

Arising Out of PS. Case No.-124 Year-2023 Thana- SIMULTALLA District- Jamui

Ajit Pandey S/o Munna Pandey R/o vill - Nandan Pahar Road, ward no. 3,
Nandani Nagar, P.S. - Deoghar, Distt. - Deoghar (Jharkhand)
... .. Petitioner/s

Versus

The State of Bihar
... .. Opposite Party/s

Appearance :
For the Petitioner/s : Mr. Umesh Prasad, Advocate
For the Opposite Party/s : Mr. Mithlesh Kumar Khare, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 12-07-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Simultala P.S. Case No. 124 of 2023 dated 05.11.2023, instituted for the offence punishable under Sections 387, 427/34 of the Indian Penal Code and Section 27 Arms Act.

3. The prosecution case, in short, is that some unknown persons demanded extortion of Rs. 20 lakhs from the informant by making several phone calls to him and also threatened to kill him and his family. Again, on 04.01.2023 at 7.30 pm, some unknown persons came on two motorcycles and fired towards the house of the informant and thereafter made a call on mobile of the informant to pay Rs. 5 lakhs at once and rest within ten days.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and he has been falsely implicated in this case. Learned counsel for the petitioner submits that petitioner is not named in the F.I.R. Only on the basis of confessional statement of Rahul Kumar, the petitioner has been made accused in this case. It is submitted that no incriminating article has been recovered from the house of the petitioner. Petitioner has no concern with the mobile numbers mentioned in the F.I.R. and allegedly used in the alleged occurrence. It is submitted that co-accused, namely, Rahul Kumar Yadav @ Rahul Kumar has been granted bail *vide* order dated 11.03.2024 passed by this Court in Criminal Miscellaneous No. 15016 of 2024. Lastly, it has been submitted that the petitioner is in custody since 17.01.2024 having six criminal cases against him. Charge-sheet has been submitted in the case.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Jamui, in connection with Simultalla P.S. Case No. 124 of 2023, subject to the following conditions:-



I. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

II. One of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife.

III. The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

IV. 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.

(Khatim Reza, J)

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