

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65381 of 2024

Arising Out of PS. Case No.-83 Year-2024 Thana- NTPC District- Patna

Chandan Yadav @ Chandan Kumar S/O Bijendra Prasad R/O Village-
Bhimtola (Hasan Chak), P.S.- N.T.P.C., District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prem Kumar, Advocate
For the State : Mr. Gulnar Begum, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 01-10-2024 Heard the parties.

2. The petitioner is apprehending his arrest in connection with N.T.P.C. P.S. Case No. 83 of 2024 for the offence under Sections 115(2), 126(2), 308(4), 352, 351(3), 140(3), 62 and 3(5) of the Indian Penal Code and sections 22 and 22(A) of the Minimum Wages Act lodged on 18.07.2024 by the informant, Krishna Murari.

3. As per the prosecution story, the informant alleged that he being a labour in the N.T.P.C. plant, Barh when came out of the gate was demanded extortion. It is alleged that earlier also he had paid Rs.8,000/- to one Rantu Yadav but they were again demanding money. He somehow went to the CRPF Camp to save his life. Accordingly, the F.I.R.

4. Learned counsel for the petitioner submits that



while the informant as a labour there he works as a supervisor, the N.T.P.C. used to make payment to him where after it is disbursed to the respective accounts of the labours. The informant as also others used to take extra money which was being demanded which has been given the colour of extortion. The last submission is that he do not have criminal antecedent.

5. Learned APP opposes the prayer submitting that they demanded the extortion.

6. Taking into account the facts of the case as also the submission put forward by the parties, the petitioner himself being a supervisor of the same N.T.P.C. plant, he do not have criminal antecedent, this Court is inclined to extend him the privilege of anticipatory bail.

7. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Barh, Patna, in connection with N.T.P.C. P.S. Case No. 83 of 2024, subject to the conditions as laid down under Section 438(2) of the Cr.P.C., as also with the following conditions:-

(i) one of the bailor should be the family



member/relative 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 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 the bail bonds;

(iv) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his/her bail bonds.

(Rajiv Roy, J)

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