

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66185 of 2024

Arising Out of PS. Case No.-180 Year-2024 Thana- RAMNAGAR District- West Champaran

Sanjeev Mishra @ Puttu Mishra @ Sanjeev Kumar, aged about 52 years,
Gender-Male, S/o- Mahendra Mishra, resident of Village- Sonbarsa, P.S.-
Matiyariya (Sonbarsa), Dist- West Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Ajay Kumar Thakur, Mr. Milind Kumar Mishra and Mr. Yogendra Tiwari, Advocates
For the Informant	:	Mr. Rana Vikram Singh, Mrs. Rasika, Miss Jyoti Singh, Miss Priti and Mr. Janmjay Giridhar, Advocates
For the State	:	Mr. Mohammed Arif, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 16-12-2024 Perused Memo No. 4193/CR dated 04.12.2024 with regard to the criminal antecedent of the petitioner sent by the Incharge, Crime Branch, West Champaran, Bagaha, sent to the Vidhi Sakha, office of the Superintendent of Police, Bagaha, which is enclosed with the Memo No. 310/Vidhi Sakha dated 04.12.2024 which was sent by the Superintendent of Police, Bagaha, to this Court.

2. Heard learned counsel for the petitioner, learned counsel for the informant and learned A.P.P. for the State.

3. The petitioner seeks bail in connection with Ram Nagar P.S. Case No. 180 of 2024 dated 01.05.2024 registered



for the offences punishable under Sections 385, 387 read with Section 34 of the I.P.C.

4. As per the prosecution case, the co-accused person Devbrat Pandey @ Nanku Pandey and the petitioner called on the mobile phone of the informant and demanded Rs. 20,00,000/- as extortion if the informant wanted to continue his work of earth racking and tender taking. It is further alleged that at the instance of the petitioner, the co-accused Nanku Pandey alias Devbrat Pandey came at the informant's shop and demanded for the alleged extortion money and also pressurized him to withdraw his tender. It is further alleged that two other persons on a white coloured Scorpio vehicle bearing Registration No. BR01HR-4606 were doing recce of the informant and his family members. It is further alleged that on 30.04.2024 at about 8.52 P.M., the petitioner and the other co-accused person Nanku Pandey called through Whatsapp from Mobile Number 9955396474 on the informant's Mobile Number 9934036797 and threatened to kill him and his family members as he had not withdrawn his tender and also paid extortion money. Hence, the F.I.R. has been lodged.

5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in the



present case. It is further submitted that there is previous dispute between the informant and the co-accused Nanku Pandey @ Devbrat Pandey with regard to the business of stone chips and when monetary dispute arose between them, the informant has filed the present false case against the petitioner and the co-accused Nanku Pandey @ Devbrat Pandey which is also evident from the statements of the several witnesses. It is further submitted that the petitioner has no concern with the alleged offence and he is doing the work of farming. The petitioner has twelve criminal antecedents and in all cases, he is on bail as stated in paragraph no. 3 of the bail application. Learned counsel for the petitioner has filed a supplementary affidavit on behalf of the petitioner and in paragraph no. 2 of the said supplementary affidavit, it has been stated that in six cases, the petitioner has already been acquitted from all the charges. The petitioner is in custody in this case since 02.07.2024.

6. Learned A.P.P. for the State and learned counsel for the informant have vehemently opposed the prayer for bail petition of the petitioner.

7. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, 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 the learned S.D.J.M., Bagaha, West Champaran in connection with Ram Nagar P.S. Case No. 180 of 2024 with further condition:-

(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 bonds of the petitioner are liable to be cancelled.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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