

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.78546 of 2024**

Arising Out of PS. Case No.-553 Year-2024 Thana- CHAPRA MUFFASIL District- Saran

Amitabh Kumar Ray S/O Dharamnath Ray R/O Village- Sherpur @ Sherpur  
Nai Basti, P.S- Mufassil, Distt.- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Alok Kumar Alok, Adv.

For the Opposite Party/s : Mr.Yogendra Kumar Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**  
**ORAL ORDER**

2      14-11-2024                      Heard Mr. Alok Kumar Alok, learned counsel for  
the petitioner and the State.

2. The petitioner is in judicial custody in connection with Mufassil P.S. Case No. 553 of 2024 for the offences punishable under Sections 309(3), 308(5) of the BNS and section 27 of the Arms Act, lodged on 09.09.2024 by the informant, Satyendra Kumar.

3. As per the prosecution story, the informant alleged that it got information that illegally, the money is being extorted by the accused person by giving fake Challan of white sand. As the villagers objected, not only the petitioner abused them but also resorted to the firing. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that absolutely, he has no criminal antecedent and only due to local enmity, got implicated. Further, he shall be appearing in the trial



diligently, if granted relief. The last submission is that irrespective of the outcome of the present case and or accepting the allegation he intends to pay Rs.5,000/- (Five thousand) to the Chief Minister's Relief Fund, Bihar, Patna.

5. Learned APP opposes the prayer submitting that not only he was extorting the money, upon opposition, he also resorted to firing.

6. Considering the submissions put forward by the parties as also the fact that he has no criminal antecedent, has remained in custody since 10.09.2024 (para-4 of the petition), this Court is inclined to extend him the privilege of bail, subject to the payment of Rs. 5,000/- (Five thousand) to the Chief Minister's Relief Fund, Bihar, Patna.

7. Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Saran at Chapra in connection with aforesaid P.S. Case subject to the following conditions:

(i) one of the bailors should be the family member of the petitioner who shall provide official document to show his 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 bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month for next one year to mark his 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 the 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 his bail bonds.

**(Rajiv Roy, J)**

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