

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6367 of 2024

Arising Out of PS. Case No.-270 Year-2020 Thana- DURAULI District- Siwan

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Ajay Kumar Singh Son Of Paras Nath Singh, Resident Of Village -Paithan
Patti, P.S.- Manjha Garh, Distt.- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Bindyachal Singh, Sr. Advocate Mr. Janmejay Giridhar, Advocate Mr. Vipin Kumar Singh, Advocate
For the State	:	Mr. Upendra Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 17-02-2024 Heard Ld. counsel for the petitioner and Ld. APP for
the State.

2. The petitioner apprehends his arrest, in connection with Darauli P.S. Case No. 270 of 2020 dated 19.11.2020, registered for the offences punishable under Sections 385 and 387 of the Indian Penal Code.

3. The allegation against the petitioner is of threatening and abusing the informant and his two brothers through his registered mobile number.

4. Ld. counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He further submits that as per the content of the F.I.R., no offence is made out under Sections 385 and 387 of the I.P.C., at



most it may be criminal intimidation, which is bailable in nature. He further submits that petitioner has two criminal antecedents but he is on bail in both of the cases.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. However, Ld. APP for the State vehemently opposes the prayer of the petitioner for bail.

7. Considering the aforesaid facts and circumstances, this application is allowed, directing the petitioner, above-named, to be enlarged on bail in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Ld. Chief Judicial Magistrate, Siwan, in connection with Darauli P.S. Case No. 270 of 2020, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has given wrong statement regarding his criminal antecedents, Ld. court below shall cancel the bail



bond of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, Ld. court below shall cancel the bail bond of the petitioner.

8. Ld. counsel for the petitioner is directed to remove all the defects, if any, pointed out by the office within a period of one month and the Registry is directed to issue the certified copy of this order only after removal of office objections.

(Jitendra Kumar, J.)

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