

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41579 of 2014

Arising Out of PS.Case No. -99 Year- 2014 Thana -PARIHAR District- SITAMARHI

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1. Rakesh Shrivastava @ Rakesh Kumar Shrivastav Son of Shri Kameshwar Prasad Shrivastav Resident of Village - Itharba, P.S. - Manrakati, District - Mohatari (Nepal).

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vinod Kumar, Advocate.

For the Opposite Party/s : Mr. Ram Chandra Singh(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 05-02-2015 Heard both sides.

The petitioner seeks bail in Parihar P.S. Case No. 99 of 2014, registered for the offences punishable under Sections 385, 504 and 387 of the Indian Penal Code.

The Block Development Officer, Parihar lodged the case alleging that he received a call from mobile no. 7070446590 demanding extortion of Rs. 15 Lacs.

Learned counsel for the petitioner submits that the petitioner is not named in the FIR. Nothing has been recovered from the possession of the petitioner. On the basis of the mobile number of Air Tel, it transpired in para-38 of the case diary that the SIM was issued in name of Ravi Kumar. Ravindra Kumar

Chaudhary identified the petitioner that he after forging the documents got the SIM issued in the name of other person namely Ravi Kumar. It is submitted that from the form for obtaining SIM the photograph was not tallying with the petitioner and Ravindra Kumar Choudhary who has committed illegality by issuing SIM on such forge documents. The petitioner is rotting in jail since 14.07.2014.

Considering the facts aforesaid and the fact that there is nothing on record to show that the SIM was issued to the petitioner and the petitioner called the BDO, demanded extortion and the petitioner has got no criminal antecedent, he is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Sitamarhi in connection with Parihar P.S. Case No. 99 of 2014, subject to the condition that one of the bailors shall be residential of Sitamarhi and having immovable property in Bihar.

(Prabhat Kumar Jha, J.)

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