

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37867 of 2015

Arising Out of PS.Case No. -257 Year- 2015 Thana -MOTIHARI TOWN District-
EASTCHAMPARAN(MOTIHARI)

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1. Nitesh Kumar Singh Son of Sudhir Singh resident of village - Sri
Krishna Nagar, P.S. Motihari Town, District - East Champaran

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma, Advocate

For the Opposite Party/s : Mr. Vinod Shankar Modi (App)

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**

ORAL ORDER

2 18-09-2015 Heard learned counsel for the petitioner and
learned APP for the State.

Petitioner is apprehending his arrest in a case
registered for the offences punishable under Sections 387, 506
of the Indian Penal Code.

Prosecution case is that informant received life
threatening call and extortion demand through mobile.
Subsequently, the nephew of the informant Anurag Kumar
Singh suggested that the mobile, through which the
threatening was given, belongs to this petitioner.

It is submitted by the learned counsel for the
petitioner that the said mobile is not registered in the name of
the petitioner. Statement to that effect has been made in para-8
of the petition which reads as follows:-

“That the mobile number,
from which threatening was given does not
belong to the petitioner.”

Statement has been made in para-3 of the petition that petitioner has no criminal antecedent.

Learned counsel for the informant submits that on verification it was found that the mobile belongs to the petitioner.

Considering the aforesaid facts, let the above named petitioner be released on provisional anticipatory bail for four month in the event of his arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran, Motihari, in connection with Town P.S. Case No. 257 of 2015, subject to the conditions as laid down under Section 438 (2) Cr.P.C.

Let, the learned court below get it verified from the service provider whether on the date of occurrence the alleged mobile number was registered in the name of the petitioner or not. If it is found that the alleged mobile number was not registered in the name of the petitioner, the learned court below will confirm the provisional bail of the petitioner but if it is found that the mobile number was registered in the name of the petitioner, then the petitioner will surrender and pray for regular bail.

(Dinesh Kumar Singh, J)

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