

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35356 of 2015

Arising Out of PS.Case No. -73 Year- 2011 Thana -BALRAMPUR District- KATIHAR

1. Ajay Sharma @ Ajay Shankar Sharma S/o Uma Shankar Sharma r/o village - B D O Para, Kulti, Burdhman, District - Burdhman (West Bengal).

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashutosh Singh, Advocate

For the Opposite Party/s : Mr. Dr. Kumar Uday Pratap (App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 03-09-2015 Heard learned counsel for the petitioner and the State.

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

The prosecution case is that extortion demand of Rs.2,00000/- was made through mobile and during investigation it transpires that the petitioner's SIM Card was used for demanding extortion.

It is submitted by the learned counsel for the petitioner that though the impugned order reflects that petitioner was on police bail, but petitioner was never on police bail and someone fraudulently used his SIM Card. The petitioner is residing in West Bengal. Statement has been made in para-3 of the petition that petitioner has no criminal

antecedent. Md. Qamruzzama, who alleged to have made the call for demand of extortion, has been granted anticipatory bail by Cr. Misc. No. 18051 of 2013.

The aforesaid facts constitute ground for consideration of prayer for regular bail of the petitioner, if the petitioner surrenders before the learned court below within a period of six weeks from today in connection with Balrampur P.S. Case No. 73 of 2011, pending in the court of learned Chief Judicial Magistrate, Katihar.

With this observation this application is disposed of.

(Dinesh Kumar Singh, J)

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