

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43649 of 2015

Arising Out of PS.Case No. -439 Year- 2015 Thana -MOTIHARI TOWN District-
EASTCHAMPARAN(MOTIHARI)

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1. Manish Kumar @ Manish Rai, son of Raj Kishore Rai, Resident of
village- Barhulia, Police Station- Andar, District- Siwan.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Lokesh Kumar Singh

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

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

2 15-10-2015 Heard learned counsels for the petitioner and the

State.

The petitioner is apprehending arrest in a case
registered for the offences punishable under section 387 of the
Indian Penal Code.

The prosecution case is that the informant and his
nephew received extortion call. The caller is said to be one Vikas.
In case of non-payment, life threatening was given. Thereafter, the
extortion call came on 28.6.2015 which was received by the staff
of the informant namely Arvind Kumar Singh. Subsequently, co
accused Vikas was apprehended who confessed his guilt. It is
alleged against the petitioner that Vikas used to come to the place

of petitioner and once he demanded extortion through the mobile of the petitioner.

It is submitted by the learned counsel for the petitioner that since Vikas happens to be the relative of the petitioner, hence he visited his place and there is nothing on record to suggest that any extortion demand was made by the petitioner and even assuming the accusation, at best, a case under section 385 IPC is made out. Statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent.

The aforesaid facts constitute ground for consideration of the prayer for regular bail of the petitioner by the learned court below in case the petitioner surrenders within six weeks from today in connection with Motihari Town P.S. Case No. 439 of 2015 pending in the court of learned CJM, East Champaran at Motihari.

This application is disposed of with the aforesaid observation/direction.

(Dinesh Kumar Singh, J)

Anil/-

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