

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30642 of 2014

Arising Out of PS.Case No. -291 Year- 2013 Thana -KUDHNI District- MUZAFFARPUR

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1. Shiv Shankar Kumar S/o Late Pahari Sah R/o village - Godhiya, P.S.
Goraul, District - Vaishali (Bihar)

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Ganesh

For the Opposite Party/s : Mr. Akbar Ali(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 22-01-2015 Heard learned counsel for the petitioner and learned
counsel representing the State.

Petitioner apprehends his arrest in connection with Kudhni P.S. Case No. 291 of 2013 registered for the offences punishable under Sections 384, 386 of the Indian Penal Code.

Allegedly, on the mobile of the Block Development Officer, Kudhni, a message was flashed demanding ransom of rupees ten lacs from mobile no. 918406807013 and if demand is not fulfilled, then all the family members would be killed.

Submission is that the petitioner is not named in the FIR and the said mobile is not of the petitioner rather the said mobile was of Ranjit Kumar and Pappu Kumar who confessed his guilt and stated the name of the petitioner and besides that there is

nothing against him to which the learned APP opposes by referring the impugned order that the petitioner was using SIM issued in the name of Soni Devi, aunt of the petitioner, and they have sent SMS four times and after use of SIM they used to take out from the mobile set by inserting another SIM and they also demanded ransom on several times from the informant.

In the facts and circumstances stated above, finding it not a fit case of pre-arrest bail, prayer of pre-arrest bail of the petitioner stands rejected.

However, in case and if so advised, the petitioner surrenders and seeks regular bail before the court below, then his prayer for bail shall be considered on its own merit on the same day without being prejudiced by the present order.

(Jitendra Mohan Sharma, J)

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