

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12715 of 2016

Arising Out of PS.Case No. -319 Year- 2015 Thana -SHASTRINAGAR District- PATNA

1. Pankaj Sharma @ Dharmendra Sharma @ Karan, Son of Late Tripti Narain Sharma, resident of Village- Madhurapur, Police Station- Bidupur, District- Vaishali, presently resident of A.G. Colony, in the house of Nand Kishore Narain Sinha, House No. A /223, Police Station- Shastrinagar, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Akhauri Kamal Kishore Sahay

For the Opposite Party/s : Mr. D.P.Tiwary(App)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

4 19-05-2016

Heard the learned counsel for the petitioner as well as the learned A.P.P for the State.

The petitioner seeks bail in a case for the offence punishable under section 387 of the I.P.C and section 65 of the Information Technology Act.

Allegedly, through mobile no. 8804361088 ransom of Rs. 20,00,000/- was demanded from the informant and the collar said his name Pankaj Sharma (petitioner).

Submission is of false implication and that the petitioner has not demanded any ransom, there is no legal and cogent material against him, the mobile which was used for

demanding extortion money does not exist in the name of the petitioner rather during investigation it was found that it stands in the name of one Sanichari Devi, no incriminating material has been recovered from possession of the petitioner, no amount was paid and as such at best it is a case under section 385 of the I.P.C and without any fault the petitioner is suffering in custody since 04.12.2015.

The learned A.P.P. submits that the petitioner has got criminal antecedent.

In the facts and circumstances as stated above, the petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Smt. Aaditi Gupta, J.M. 1st Class, Patna in Shastrinagar P.S. Case No. 319 of 2015, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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