

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8536 of 2016

Arising Out of PS.Case No. -528 Year- 2015 Thana -SAHARSA District- SAHARSA

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Santosh Kumar @ Santosh, son of Dinesh Kumar Singh @ Dinesh Kumar,
resident of Ward No. 1, Birpur, Police Station- Birpur, District- Supaul.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Roy

For the Opposite Party/s : Mr. R.N. Jha (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

02/ 22-02-2016

Heard learned counsels for the petitioner

and the State.

The petitioner is apprehending his arrest in
a case registered for the offences punishable under Section 384
of the Indian Penal Code.

The prosecution case is of demanding
extortion of rupees five lakhs and giving life threatening through
mobile phone. It is further alleged that the alleged sim of the
mobile was sold by petitioner to Niranjan in whose confession
the name of the petitioner sprang up.

It is submitted by learned counsel for the
petitioner that the petitioner is not named in the FIR but his
name sprang up in the confession of Niranjan and he is a

handicapped person. It is further submitted that the alleged sim was sold by the petitioner on proper verification and even assuming the accusation at best a case under Section 385 IPC is made out. Though, the petitioner is accused in five other cases but he is on bail in those cases.

The aforesaid facts constitute ground for consideration of prayer for regular bail, if the petitioner surrenders before the learned court below within a period of six weeks from today in connection with Saharsa P.S. Case No. 528 of 2015 pending in the court of learned Chief Judicial Magistrate, Saharsa.

Accordingly, this application is disposed of.

(Dinesh Kumar Singh, J)

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