

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.28399 of 2016

Arising Out of PS.Case No. -52 Year- 2016 Thana -KHODAWANPUR District- BEGUSARAI

Anil Mahto @ Anil Kumar, son of Dular Chand Mahto, resident of village Bariyarpur westen, Police Station Khodawanpur, District Begusarai.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Shashidhar Jha, Advocate.

For the Opposite Party : Mrs. Anita Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 20-09-2016 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner is languishing in custody since 16.06.2016 in connection with Khodawandpur P.S. Case No. 52 of 2016 for the offences instituted under Sections 385 and 387/34 of the IPC.

The prosecution story, in brief, is that prior to this occurrence, Nagmani Mahto has demanded ransom from the informant for which a case has been instituted and for making pairvi in that case, the informant has gone to give evidence on 02.05.2016 and 13.05.2016. It is further alleged that this petitioner arranged a talk through his Mobile Phone with Nagmani Mahto and withdrawal of case was discussed between them and Rs. 20,000/- was demanded by way of ransom and in case of non-



withdrawal of case a threat was given to eliminate all family members of the informant. It is further alleged that on 16.05.2016 at 3.45 P.M., when the informant was at his home, this petitioner came there and again arranged a talk to Nagmani Mahto with his Mobile Phone at that time his villagers Raj Kumar Gupta, Rajesh Kumar Gupta and Sanjay Gupta came there and they have put the Mobile on speaker due to which they have heard threatening about withdrawal of case and demand of Rangadari of Rs. 20,000/-. In that way, this petitioner has said that if the informant wants rescue then give Rs. 20,000/-. Thereafter, they have informed the police and from his house the police has taken away this petitioner and requested legal action.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 16.06.2016 and the charge sheet has been submitted in the present case. There is no allegation of tampering of the witnesses alleged against the petitioner. He has got no criminal antecedent. He has falsely been implicated in the present case due to village politics. The petitioner and the informant are the residents of same village.

On behalf of the State, it has been submitted that the petitioner is named in the F.I.R. The demand for Rangdari has been made by Telephone of the petitioner.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner at this stage. The same is rejected in Khodawandpur P.S. Case No. 52 of 2016, pending in the court of the learned S.D.J.M., Manjhaul, Begusarai.

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(Sudhir Singh, J)