

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36967 of 2016

Arising Out of PS.Case No. -180 Year- 2016 Thana -JOGAPATTI District-
WESTCHAMPARAN(BETTIAH)

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1. Prakash Thakur S/o Late Basudev Thakur resident of Village-Piparpati,
P.S.- Yogapatti, District- West Champaran

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar

For the Opposite Party/s : Mr. Gopesh Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 01-09-2016 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered for the
offences punishable under Section 387 of the Indian Penal Code.

Petitioner is not named in the first information report
but in course of investigation, on the basis of scientific
investigation, it came to light that it was petitioner, who had
demanded extortion money from the informant. Subsequently, one
mobile containing sim card were recovered from possession of the
petitioner and it also came to light that petitioner was a convict of
murder case.

Submission on behalf of the petitioner is that even if

the prosecution story assumed to be true, then also, only a case under Section 385 of the Indian Penal Code is made out which is bailable in nature and moreover, information regarding missing of mobile and sim card of the petitioner had already been given to the police.

Considering the aforesaid facts and circumstances as well as submissions of the parties and also taking note of this fact that petitioner was convicted in a case which had been lodged in the year 1979 and after serving his sentence he had already released in the year 1996, let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, West Champaran at Bettiah in connection with Yogapatti P.S. Case No. 180 of 2016.

(Hemant Kumar Srivastava, J)

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