

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54605 of 2016

Arising Out of PS.Case No. -574 Year- 2016 Thana -MOTIHARI TOWN District-
EASTCHAMPARAN(MOTIHARI)

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Dukhi Sahani, Son of Late Shiv Balak Sahani, R/o Village- Damo Birti
Malahi Tola, P.S.-Harsidhi District -East Champaran, Motihari

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sharda Nand Mishra, Advocate

For the Opposite Party/s : Mr. (Dr.) Rabindra Kumar, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 22-12-2016 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

Petitioner is languishing in judicial custody since
20.09.2016 in connection with Motihari Town P.S. Case No.
574/16 registered for the offence punishable under Section 387 of
the Indian Penal Code.

The prosecution case, as lodged by the informant, is
that he being a compounder of doctor Ashutosh Sharan received a
call from a particular mobile number demanding Rs. 20 lakhs as
rangdari, but when the said person came to know that the
informant was just a compounder he disconnected the phone.

It has been submitted by the learned counsel for the
petitioner that he is innocent, has no criminal history and due to
mistake of fact this case has been lodged against him. He submits



that the confessional statement before the police was taken under pressure and nothing has been recovered from his conscious possession. He further submits that charge-sheet has already been submitted, hence, there is no chance of tampering with the prosecution evidence.

However, learned A.P.P. for the State submits that the name of the petitioner has surfaced during course of investigation, hence, opposes the prayer for bail.

Be that as it may, considering the facts and circumstances and submission of parties, since charge-sheet has already been submitted, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, East Champaran at Motihari in connection with Motihari Town P.S. Case No. 574/16, subject to the condition that petitioner will appear before the trial court as and when required and failure to appear on two consecutive dates without assigning any reason will be liable for cancellation of his bail bonds.

(Nilu Agrawal, J.)

Rajesh/-

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