

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51254 of 2015

Arising Out of PS.Case No. -32 Year- 2015 Thana -EAST COLONY District- MUNGER

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1. Rakesh Raushan @ Rakesh Singh, Son of Ram Nath Singh, resident of Village- Salempur, Post- Surajgarha, Police Station- Surajgarha (Manikpur O.P.), District- Lakhisarai.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dipak Kumar

For the Opposite Party/s : Mr. Mustaque Alam(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 08-01-2016 Heard the learned counsel for the petitioner as well as the learned A.P.P.

The petitioner seeks bail in a case for the offences punishable under sections 385, 387, 353, 504 and 506 of the I.P.C

Allegedly, amount of Rs. 5,00,000/- was demanded from the informant who is D.I.G. Munger Region otherwise to explode him. During investigation the name of the petitioner transpires that he made the call demanding money by using the SIM purchased in the name of Pintu Singh through his mobile set.

Submission is of false implication and that there is land dispute going on between the family of Pintu Singh and the petitioner and Pintu Singh falsely implicated the petitioner by



giving false statement before the police and also in the Court under section 164 Cr.P.C, the petitioner has got no criminal antecedent, the statement made by Pintu Singh which is exculpatory in nature has got no evidentiary value in the eye of law, the grand father of the petitioner expired on 31.12.2015 which is evident from the appearance slip filed by the learned counsel and the petitioner is suffering in custody since 01.09.2015 merely on suspicion as in the village mobile of one person is being used by another also.

The learned A.P.P. opposes prayer for bail but fairly submits that on the basis of the statement of Pintu Singh the petitioner has been made accused and mobile set of the petitioner was used in making call to the D.I.G.

In the facts and circumstances as stated above, considering that the petitioner has got no criminal antecedent, charge sheet has already been submitted and there is no chance of tampering with the prosecution evidence and as such 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 Sri Sone Lal Rajak, J.M. 1st Class, Munger in East Colony (Munger) P.S. Case No. 32 of 2015/ G.R. No. 1640 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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