

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46412 of 2016

Arising Out of PS.Case No. -296 Year- 2015 Thana -RAXAUL District- EASTCHAMPARAN
(MOTIHARI)

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Vishal Kumar, son of Ram Naresh Prasad Kushwaha, resident of
Mohalla- Korla Tola Ward No. 24, Police Station- Raxaul, District- East
Champaran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Arun Kumar Pandey, Adv.

For the Opposite Party : Mr. R.P. Nat, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 22-10-2016 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 25.06.2016 in
connection with Raxaul P.S. Case No. 296 of 2015 for the offences
alleged under Section 386 of the Indian Penal Code.

3. It is submitted that the petitioner has been falsely
implicated and the mobile number used for making the extortion
call does not belong to the petitioner. No recovery of any
incriminating article has been made from his possession and he has
been implicated only on the confessional statement of one Rajesh
Kumar. There is inordinate delay in instituting the F.I.R on
14.12.2015 for the alleged occurrence of 06.12.2015.

4. Having regard to the entirety of the facts and
circumstances of the case, let the petitioner above named be
released on bail on furnishing bail bond of Rs.10,000/-(ten
thousand) with two sureties of like amount each to the satisfaction
of learned Sub-Divisional Judicial Magistrate, Raxaul at Motihari, in
connection with Raxaul P.S. Case No. 296 of 2015, with the
following conditions:-

(i) That one of the bailors will be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall remain physically present in Court on each and every date during trial and in the event of failure to do so on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

Md. Ibrarul/BT

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