

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40025 of 2016

Arising Out of PS.Case No. -392 Year- 2015 Thana -RAJIVNAGAR District- PATNA

- =====
1. Shiv Shankar Sharma @ Shankar Sharma S/o Sri Basudev Sharma
 2. Arun Kumar S/o Sri Bharat Prasad
 3. Amit Kumar Saurabh @ Raja S/o Late Gyan Chand Prasad
 4. Manoj Kumar S/o Sri Nadheshwar Singh Petitioner/s
- Versus

The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rakesh Kumar

For the Opposite Party/s : Mr. Amit Kumar Rakesh

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

4 10-11-2016

Heard both sides.

The petitioners apprehend their arrest in Rajiv Nagar P.S. case No. 392 of 2015 under Section 387 and other Sections of the Indian Penal Code.

The informant alleged that Sanjay Kumar called him on his mobile and demanded extortion of Rs. 25 lacs and he threatened to kill the entire family members of the informant if the extortion was not paid. The informant informed the police officer but immediately thereafter the accused persons came, scaled on the boundary wall of the house of informant and assaulted the servant of the informant.

The learned counsel for the petitioners submits that the occurrence took place on 15.12.2015 but the FIR was lodged on 22.12.2015. The allegations are false and concocted. The elder

brother of the informant had taken money from Sanjay Kumar and he issued a cheque of Rs. 7,50,000/- but the cheque was bounced. A legal notice was also given.

It appears that during the course of investigation none of the witness has come forward to support the case of the informant.

Considering the facts aforesaid and the fact that after one week of the occurrence the case has been lodged and none of the witness has come forward to support the case of the informant, the above named petitioners, in the event of their arrest or surrender before the learned court below within a period of four weeks from the date of receipt / production of a copy of this order, are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st class, Patna in Rajiv Nagar P.S. Case No. 392 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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