

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.25304 of 2016

Arising out of PS.Case No. -407 Year- 2015 Thana -BHAGALPUR KOTWALI District-
BHAGALPUR

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Asgar Ali @ Md. Asgar Ali aged about 53 years, son of Md. Chhedi Alam,
resident of Village- Madhaili Diyara, P.S.- Alam Nagar, District-
Madhepura.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Vinay Kumar, Advocate.

For the Opposite Party : Smt. Rita Verma, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 09-08-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is languishing in custody since 04.03.2016
in connection with Kotwali (Adampur) P.S. Case No. 407 of 2015
for the offences instituted under Section 384 of the IPC.

It is alleged that the informant being the Additional
Collector, Bhagalpur, received message on his official Mobile No.
9473191382 through Mobile No. +917260923963 to deposit Rs.
10,00,000/- otherwise the informant and his family would be
kidnapped or killed and bomb would be installed in his office.

It has been submitted on behalf of the petitioner that the
petitioner is in custody since 04.03.2016 and the charge sheet has

been submitted in the present case. There is no allegation of tampering of the witnesses alleged against the petitioner. He has been made accused in the present case due to mistake of fact. There is no direct or indirect evidence against the petitioner.

On behalf of the State it has been submitted that the petitioner is not named in the F.I.R. During the course of investigation, it has come that the petitioner was demanding ransom. From perusal of paragraph no. 30 of the case diary, it is evident that as many as 17 Sim Cards are said to have been recovered alongwith three Mobile sets which were being used for demanding ransom. There are as many as six criminal cases of similar nature pending against the petitioner.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner. The same is rejected in Kotwali (Adampur) P.S. Case No. 407 of 2015, pending in the court of the learned C.J.M. Bhagalpur. Anyhow, the court below is directed to take all necessary steps to expedite the trial.

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(Sudhir Singh, J)