

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27374 of 2016

Arising Out of PS.Case No. -356 Year- 2015 Thana -MITHANPURA District- MUZAFFARPUR

1. Satish Sharma son of Late Ram Dayal Singh resident of Village-
Chhapramegh, P.S.- Mushahari, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tarkeshwar Pd. Verma

For the Opposite Party/s Mr. Ram Naresh Ray

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

03/ 06.09.2016 Heard learned counsel for the petitioner as well as learned
Addl. Public Prosecutor for the State.

Petitioner seeks bail in a case registered under sections 385,
387 of the Indian Penal Code and section 66 A (b) of the information
Technology Act as well as sections 16, 18, 20 of the Unlawful
Activities (Prevention) Act.

Petitioner is not named in the first information report but in
course of investigation, it came to light that owner of mobile no.
8757813899 was one Rakesh Kumar who confessed before police that
he had sent SMS to the informant.

It would appear from perusal of the case diary that, again,
informant gave a written report to officer-in-charge mentioning
therein that message of threatening had been received from a different
mobile number. The above stated mobile number was found in the
name of one Sailendra Kumar who disclosed that the petitioner had

snatched the aforesaid mobile from him and on that basis petitioner was arrested and allegedly, the above stated mobile was recovered from his possession.

Submission on behalf of the petitioner is that the aforesaid Sailendra Kumar had inimical term with the petitioner and prior to institution of the present case, petitioner had lodged some cases against him which is evident from perusal of annexure 3 to the petition and that is the reason of false implication of the petitioner in the present crime.

Considering the aforesaid facts and circumstances as well as submissions of the parties and also taking note of this fact that petitioner does not have any criminal antecedent and is languishing in jail custody since 21.12.2015, let the petitioner be released on bail on furnishing bail bonds of Rs 10,000/- with two sureties of the like amount each to the satisfaction of the Sub divisional Judicial Magistrate, East- Muzaffarpur in Mithanpura P.S. Case no. 356/2015.

shahid

(Hemant Kumar Srivastava,J)

U		T	
---	--	---	--