

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Miscellaneous No.3754 of 2017**

Arising Out of PS.Case No. -129 Year- 2016 Thana -SHERGHATI District- GAYA

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Binay Kumar @ Vinay Kumar, Son of Bilash Yadav, resident of Village-  
Tetariya, P.S. Sherghati, Dist.-Gaya.

.... .... Petitioner

Versus

The State of Bihar

.... .... Opposite Party

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**Appearance :**

For the Petitioner : Mr. S. Jamil Akhtar, Advocate.

For the Opposite Party : Smt. Pronati Singh, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

3      15-03-2017                      Heard learned counsel for the petitioner and learned  
counsel for the State.

The petitioner is languishing in custody since 16.05.2016  
in connection with Sherghati P.S. Case No. 129 of 2016 for the  
offences instituted under Sections 387 of the IPC and 17 of C.L.A.  
Act.

The prosecution story, in brief, is that two unknown  
persons came at the brick-kiln and demanded mobile number of  
the owner from Munshi. Thereafter, extortion money of Rs.  
50,000/- was demanded from the owner and threatening was also  
given to kill him.

The earlier bail application of the petitioner was rejected  
with an observation “at this stage”. In light of the said observation,



the present application has been preferred on behalf of the petitioner for grant of bail.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 16.05.2016 and the charge sheet has been submitted in the present case. There is no allegation of tampering of the witnesses alleged against the petitioner. The petitioner is not named in the F.I.R. nor there is any substantive evidence to suggest his implication in the present case. The other co-accused has been granted bail by another co-ordinate Bench of this Court vide Cr. Misc. No. 46905 of 2016.

On behalf of the State, it has been submitted that the name of the petitioner has come in course of investigation.

Considering the aforesaid facts and circumstances, let the petitioner above named, 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 the learned A.C.J.M. Sherghati, Gaya, in connection with Sherghati P.S. Case No. 129 of 2016.

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**(Sudhir Singh, J)**

