

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.6320 of 2017

Arising Out of PS.Case No. -540 Year- 2016 Thana -TURKAULIYA District-
EASTCHAMPARAN(MOTIHARI)

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Suresh Sah Son of Lalan Sah , Resident of Village- Raghunathpur, Ward
No.- 6, P.S.- Turkaulia, District- East Champaran..... Petitioner

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Karandeep Kumar

For the Opposite Party/s : Mr. Sri Ahtash Ali Khan

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

2 17-03-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Turkaulia P.S.
Case No. 540 of 2016 registered for the offence punishable under
Section 387 of the Indian Penal Code.

Allegedly, from mobile no. 918083950815 ransom of Rs.
10 lakhs was demanded, failing which threatening was given to kill the
son of the informant. The caller did not disclose his name. During
investigation it reveals that Md. Ayub is the holder of that mobile from
which the ransom was demanded and he disclosed that he has given the
same to the petitioner after taking out the SIM and then the petitioner
was apprehended and he admitted that he has taken the SIM from Md.
Ayub.

Submission is of false implication and that there is no any
legal and cogent material against the petitioner, without any material he
is suffering in custody since 15.11.2016, no ransom was paid and as



such no offence under Section 387 IPC is made out. Besides confessional statement of Md. Ayub and of the petitioner there is no material against him and as such he deserves sympathetic consideration.

Learned APP opposes the prayer of bail.

In the facts and circumstances stated above, considering that chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, East Champaran at Motihari in connection with Turkaulia P.S. Case No. 540 of 2016, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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