

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43276 of 2017

Arising Out of PS.Case No. -41 Year- 2017 Thana -SIDHWALIA District- GOPALGANJ

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Rajesh Mahto @ Rajesh Kumar Mahto @ Shyam Mahto, Son of Rajbali Mahto, resident of Village- Dumariya, Police Station- Dumariya Ghat, District- East Champaran.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shakti Suman Kumar, Adv.

For the Opposite Party/s : Mr. Satyadev Prasad Singh Yadav, APP

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 21-09-2017 Heard the parties.

This application, for grant of anticipatory bail, arises out of Sidhwalia P.S. Case No. 41/2017, disclosing offences under Sections 384, 387 of the Indian Penal Code.

The petitioner is not named in the F.I.R. There is allegation against the accused Kundal Singh of having demanded extortion money (Rangdari) from the informant using his cell phone number. On the basis of confessional statement of some other co-accused, the petitioner's name has cropped up. It is alleged that S.I.M. number through which the calls were made belonged to the petitioner.

Learned counsel for the petitioner has submitted that the



petitioner does not possess either of the S.I.M. numbers, as indicated in the F.I.R. He has also submitted that the petitioner has no criminal antecedent.

Considering the facts and circumstances, the application is allowed. Let the petitioner above named, in the event of his arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate VI, Gopalganj in connection with Sidhwalia P.S. Case No. 41/2017, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bond shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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