

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37413 of 2018

Arising Out of PS. Case No.-79 Year-2016 Thana- SHYAMPUR BHATHA District- Sheohar

Abhishek Saurabh @ Saurabh Kumar, Son of Pappu Jha, R/o Village-
Bajitpur, (Dumari Katsari), P.S.- Shyampur Bhattha, District- Sheohar.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha

For the Opposite Party/s : Mr. Sri Ganesh Prasad Singh

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

3 02-08-2018 Heard learned counsel for the petitioner and learned APP for
the State.

Petitioner apprehends his arrest in Shyampur Bhattha P.S.
case no. 79 of 2016 instituted for the offence under Section(s) 385,
387 of the Indian Penal Code.

Learned counsel for the petitioner has submitted that after
institution of the case the the investigating officer obtained the CDR
of the used mobile and form perusal thereof, it appears that on
several occasions there was conversation between the two mobile
numbers on 5.12.2016 itself. The call was made from mobile no
8292557724 which is of the informant on mobile no 9693249854
which is the mobile of the uncle of the petitioner, namely, Nitesh
Kumar from which the allegation of extortion was made on several
occasions. These two mobile numbers were used for conversation
from both sides even after institution of the present case. The instant



case has been filed making allegation of demand of extortion. But the real fact is that the grand daughter of the informant used to talk with Nitesh and this petitioner.

In the facts and circumstances of the case, prayer of the petitioner for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today in connection with Shyampur Bhattha P.S. case no. 79 of 2016 , he shall be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the CJM Sheohar, subject to the conditions as laid down under Section 438(2) Cr. P. C. with further conditions:(1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioner and (3) if petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Sanjay Priya, J)

shyambihari/-

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

