

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5873 of 2018

Arising Out of PS. Case No.-573 Year-2017 Thana- MOTIHARI TOWN District- East
Champaran

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Atul Kashyap @ Chunu S/o Laxman Prasad Singh, R/o Village- Chhota
Bariyarpur, P.S.- Chhatauni, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh

For the Opposite Party/s : Mr. Anand Kishore Choudhary, APP

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**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

5 15-03-2018 Heard learned counsel for the petitioner and
learned APP for the State.

The petitioner seeks bail in connection with
Motihari Town P.S. Case No. 573 of 2017 registered under
Sections 387 and 120-B of the Indian Penal Code.

One Kunal Singh is said to have demanded
extortion money from the informant on mobile asking him to
handover the money to a boy to be send by him.

It is submitted by learned counsel for the
petitioner that the petitioner is not named in the FIR. No
incriminating article has been recovered from his conscious
physical possession. He has no concern with the aforesaid
occurrence. He has been falsely implicated in this case wrongly



by the police merely on the basis of his confessional statement recorded in Motihari Town P.S. Case no. 519 of 2017. Though, mobile phone used in the occurrence is said to have been recovered from the Almirah kept in the house of the petitioner, but the said house is inhabited by several other family members of the petitioner and the Almirah is in their use also. Though, three criminal cases have been lodged against the petitioner, but he is on bail in the said cases. He has been languishing in custody since 12.09.2017.

In the facts and circumstances of the case, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Motihari, East Champaran in connection with Motihari Town P.S. Case No. 573 of 2017.

(Prakash Chandra Jaiswal, J)

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