

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28397 of 2018

Arising Out of PS.Case No. -890 Year- 2017 Thana -FORBESGANJ District- ARRARIA

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Azad @ Afzal @ Rahmat Ali S/o Md. Iliyas, R/o Vill.- Rani, Ward No. 14,
P.S.- Rani, District- Morang (Nepal) at present , Resident of Mohalla-
Khajurbari, Ward No. 16, P.S.- Jogbani, District- Araria.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Abhijeet Gautam

For the Opposite Party/s : Mr. Ram Bachan Singh

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

2 09-05-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in Forbesganj P.S. Case
No. 890 of 2017 registered under Sections 420, 467, 468, 471 and
120(B)/34 of the Indian Penal Code.

Extortion money is said to have been demanded by
the mobile in the name of Lakho Devi and co-accused Arun
Kumar Sah is said to have managed the aforesaid SIM in the name
of Lakho Devi and handed it over to the petitioner to facilitate him
demanding the extortion money.

It is submitted by learned counsel for the petitioner
that no incriminating article has been recovered from the



conscious physical possession of the petitioner. He has no concern with the aforesaid occurrence. He has been falsely implicated in this case. He is not named in the F.I.R. He has also no concern with said Arun Kumar Sah and Lakho Devi. There is nothing in the record indicating the complicity of the petitioner in the occurrence barring his confessional statement which has no evidentiary value in the eye of law. The petitioner has been languishing in custody since 05.02.2018. Said Arun Kumar Sah has been enlarged on bail by a co-ordinate bench of this court in Cr. Misc. No. 10363 of 2018 vide order dated 22.02.2018.

In the facts and circumstances of the case, the above named petitioner is directed to be enlarged 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 Chief Judicial Magistrate, Araria in connection with Forbesganj P.S. Case No. 890 of 2017.

(Prakash Chandra Jaiswal, J)

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