

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14988 of 2018

Arising Out of PS. Case No.-195 Year-2017 Thana- JOGBANI District- Araria

=====

Surendra Singh @ Surendra Prasad Singh S/o late Rijhan Singh, R/o Indranagar, Ward No.9, P.S.- Jogbani in the District of Araria.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Dharm Nath Giri S/o Late Ram Pujan Giri, R/o Jogbani, P.S.- Jogbani, District- Araria.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Raj Kumar

For the Opposite Party/s : Mr. Sri Ajit Kumar

=====

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 18-07-2018 The petitioner, who is the informant of Jogbani P.S. Case No. 195 of 2017 which has been instituted for offences punishable under sections 386, 307, 504, 506 and 120-B of the I.P.C. and Sections 3, 4 and 5 of the Explosive Substance Act, seeks cancellation of bail of O. P. No. 2, which was granted to him by order dated 21.12.2017 passed in B. P. No. 1056 of 2017 by the learned 1st Additional Sessions Judge, Araria in connection with the aforesaid case.

A peculiar allegation has been levelled in the first information report. The petitioner received a telephone call and was told by the caller that he is Razzaque and that he ought to be paid Rs. 5,00,000 /- (five lakhs) or serious consequences would follow. The petitioner / informant did not take up the later



calls of Razzaque for quite some time. However, on one occasion, aforesaid Razzaque told the informant that he shall not press for payment of any ransom money. The informant then claims to have inquired through his own sources and learnt that the call was not made by Razzaque but by his brother-in-law, namely, Rahmat. In that connection, it has been alleged that earlier, some money was paid to him through the agency of the petitioner (Dharmnath Giri / O. P. No. 2) and, therefore, he could have had his hand in giving such telephone calls to the petitioner / informant. On one occasion, a bomb was exploded near his shop which damaged the mannequin placed outside the shop.

The learned counsel appearing for O. P. No. 2 has drawn the attention of the Court to the fact that earlier there was a business relationship between the petitioner and the O. P. No. 2. A plot of land was jointly purchased by both of them which was later sold by the petitioner / informant. The entire money was pocketed by the informant and therefore in order to prevent the O. P. No. 2 from demanding his share, the present case, on vague allegation, has been lodged against the O. P. No. 2. The O. P. No. 2 does not have any criminal antecedents.

No good ground has been made out by the learned



counsel for the petitioner for this Court to interfere with the
order granting bail to the petitioner.

The petition is dismissed.

(Ashutosh Kumar, J)

skm/-

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

