

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18620 of 2019

Arising Out of PS. Case No.-684 Year-2017 Thana- MOTIHARI TOWN District- East
Champaran

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MITHILESH PATHAK, aged about 34 years (M), Son of Late Ram Bilash
Pathak, Resident of Village-Harpur Pipra, P.S.- Mejarganj, District- Sitamarhi.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr.Umesh Chandra Verma, Advocate.
For the Opposite Party : Mr. Nand Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 03-05-2019 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is languishing in custody since
02.01.2019 in a case for the offence registered under Section
386 of the IPC.

The prosecution story, in brief, is that on 28.09.2017
at about 5.36 P.M. 5.46 P.M. and 5.59 P.M., the informant
received calls on his Mobile demanding Rs. 30,00,000/- as
extortion money by K.K. Singh with threatening that if within
four days the said amount will not be paid, the informant being
Director of C.T. Residential School, Daroga Tola, will be killed.

It has been submitted by learned counsel for the
petitioner that the petitioner has falsely been implicated in the



present case. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner is not named in the F.I.R. His name has come on the basis of confession of the petitioner. Except for this, there is no substantive evidence to suggest the implication of the petitioner in the present case. Other co-accused has been granted bail by another Co-ordinate Bench of the Court vide Cr. Misc. No. 57384 of 2018 order dated 12.10.2018 vide Annexure-2 to the present application.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is not named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released 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 C.J.M. Motihari, East Champaran in connection with Motihari Town P.S. Case No. 684 of 2017.

U.K./-

(Sudhir Singh, J)

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