

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.80019 of 2018

Arising Out of PS. Case No.-32 Year-2018 Thana- DEWARIA District- Muzaffarpur

Md. Babar, son of Late Ashfaq @ Md. Ashafaq, resident of village Jaimal
Dumari, P.S. Paru, District Muzaffarpur. Petitioner.

Versus

The State of Bihar. Opposite Party.

Appearance :

For the Petitioner/s : Mr. Manindra Kishore Singh

For the Opposite Party/s : Mr. Binod Kumar 3

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

ORAL ORDER

2 18-01-2019 Heard learned counsel for the petitioner and learned APP for
the State.

The petitioner seeks bail in Deoria P.S. Case No.32 of
2018 registered under Section 385 & 387 of the Indian Penal
Code.

Some unknown miscreants is said to have demanded
extortion money of Rs.5 lakhs under threat of life from the
informant by his mobile phone.

It is submitted by learned counsel for the petitioner that
no such occurrence as alleged ever took place. The petitioner
has committed no offence. He has no concern with the aforesaid
occurrence. He has been falsely implicated in this case due to
dirty village politics. The petitioner is neither named in the
F.I.R. nor he demanded any extortion money nor the mobile by
which extortion money was demanded has been recovered from



his possession. As a matter of fact, the mobile in question is hailing to one Santosh Kumar. During the course of investigation, the petitioner was suspected to be involved in such kind of activities and on the basis of his confessional statement recorded by the police in some other case he has been falsely implicated in this case. The aforesaid confessional statement recorded by the police has no evidentiary value in the eye of law. Barring the aforesaid, there is nothing on record indicating the complicity of the petitioner in the occurrence. Though some criminal cases have been lodged against the petitioner but he is on bail in the said cases. The petitioner has been languishing in custody since 30.08.2018.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1stClass, Muzaffarpur in connection with Deoria P.S. Case No.32 of 2018.

(Prakash Chandra Jaiswal, J)

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