

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.75100 of 2018

Arising Out of PS. Case No.-900 Year-2017 Thana- BETTIAH CITY District- West
Champaran

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Gaffar Mian @ Abdul Gaffar S/o Late Ful Mohammad Mian, resident of
Mohalla- Najani Chowk, P.S.- Bettiah Town, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar

For the Opposite Party/s : Mr.Sri Anand Mohan Prasad Mehta

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 10-01-2019 Heard both sides.

Petitioner apprehends his arrest in Bettiah (T) P.S.
Case No.900 of 2017 registered under Sections 387/34 of the
Indian Penal Code.

The informant, S.I. of Bettiah Town Police Station,
alleged that he got information that somebody is illegally
extorting money from the auto drivers and on such informant
went to the auto stand and apprehended one Pramod Kumar.
Pramod Kumar disclosed that he is collecting money from auto
drivers on the order of Jakir Ali who is inside the jail and he
used to give the money to the father of Jakir Ali.

Learned counsel for the petitioner submits that the
petitioner was not found collecting any illegal money. Pramod



Kumar only disclosed that he used to give money to the petitioner who happens to be the father of Jakir Ali after collecting money from the auto drivers on the order of Jakir Ali. It is submitted that there is no material on record to show that the petitioner ever asked to collect illegal money from the auto drivers. Petitioner has been made accused only because he happens to be the father of Jakir Ali.

Having considered the facts that there is no material against the petitioner that illegal extortion was being made at the instance of the petitioner and the petitioner happens to be the father of Jakir Ali, let petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt of this order 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 CJM, Bettiah, West Champaran in connection with Bettiah (T) P.S. Case No.900 of 2017, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Prabhat Kumar Jha, J)

S.KUMAR/-

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