

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.804 of 2020

Arising Out of PS. Case No.-299 Year-2019 Thana- SIMRI District- Buxar

Om Prakash Kumar, Son of Ashok Singh Resident of Village - Pratap Sagar
Ward No. 12, P.S.- Dumraon, Distt - Buxar, Bihar

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Surendra Kr. Singh

For the Opposite Party/s : Mr. Aditya Narayan Singh No.1

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 28-05-2020 Heard Mr. Surendra Kumar Singh, learned counsel for the petitioner and Mr. Aditya Narayan Singh No.1, learned counsel appearing for the State, through video conferencing.

The petitioner seeks regular bail in connection with G.R. No.2600 of 2019 arising out of Simari (TRH O.P.) P.S. Case No. 299 of 2019, registered for the offence punishable under Sections 386, 504, 506 of the Indian Penal Code.

The allegation against the petitioner as per the First Information Report lodged by the informant, Sunil Prasad Verma, stating therein that on 14.10.2019, when he was returning from Jewellery Shop at Arjunpur, he got a call on his Mobile from Mobile No.8176907943 demanding a sum of Rs. 2 lakhs as extortion with a threat that if the informant would not pay the same, he would be killed.

Learned counsel for the petitioner submits that the petitioner



has not committed any offence in the manner alleged inasmuch as from perusal of the para-18 of the case diary, it would be evident that mobile number in question belongs to one Umesh Nishad. Learned counsel further submits that from perusal of para 27, 54 of the case diary, it would be evident that there was merely a dispute between the informant and a lady who had pledged her gold ornaments in the shop of the informant and she demanded to return back gold ornament from the Jewellery shop after reducing the interest etc. Learned counsel further submits that petitioner has got no criminal antecedent and he is in custody since 20.10.2019.

On the other hand, learned counsel for the State vehemently opposes the prayer for bail and submits that in various paragraphs of the case diary, it has come to light that petitioner has played an important role in demanding extortion of Rs. 2 lakhs from the informant and call was made by co-accused through a phone which belongs to the mother of the petitioner and said mobile was also recovered from the house of the petitioner.

Having regard to the submissions made by learned counsel for the parties and taking into consideration the fact that the petitioner has got no criminal antecedent and he is in custody since 21.10.2019, I am inclined to grant regular bail to the petitioner.



Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bond of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate 4th Buxar, in connection with G.R. No.2600 of 2019 arising out of Simari (TRH O.P.) P.S. Case No. 299 of 2019.

It is made clear that at the time of furnishing bail bond all the parties shall follow the guidelines regarding lockdown and social distancing.

(Anil Kumar Sinha, J)

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