

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4709 of 2020

Arising Out of PS. Case No.-176 Year-2019 Thana- PALIGANJ District- Patna

RAJ KUMAR @ RAJ KUMAR SAO Son of Late Jamuna Sao @ Yamuna
Sao Resident of Math Road, P.S.- Paliganj, Distt - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mrigendra Pratap Singh, Adv.

For the Opposite Party/s : Mr. Ram Anurag Singh, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 29-02-2020 Heard learned counsel for the petitioner, informant and
learned APP for the State.

The petitioner is apprehending arrest in a case registered
for the offences punishable under Sections 385 and 387 of the
Indian Penal Code.

The prosecution case as per the written report of Dilip
Kumar submitted before the S.H.O., Paliganj is to the effect that
on 27.05.2019, at 5.08 A.M., the informant received a phone
call from an unknown number on his mobile phone demanding
extortion amount of Rupees Five Lac otherwise he will be
killed. It is further alleged that earlier also, the brother of the
informant was shot at, when similar extortion was demanded,



leading to registration of Paliganj P.S. Case No. 6 of 2019. Though the FIR was lodged against unknown, but petitioner's named subsequently transpired during investigation.

It is submitted by learned counsel for the petitioner that the name of the petitioner sprang up on the confession of co-accused, Vikash Kumar and even assuming the accusation to be true, the case at best under Section 385 I.P.C. is made out, which is bailable. It is further submitted that though the petitioner is accused in one other case apart from the present case, but in that case he is on bail.

It is submitted by learned counsel for the informant that earlier also the extortion was demanded and the informant's brother received gunshot injury, leading to registration of Paliganj P.S. Case No. 6 of 2019 and in that case, the petitioner is also made an accused.

Considering the nature of accusation and the name of the petitioner sprang up on the basis of confessional statement of co-accused, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned



SDJM, Danapur, in connection with Paliganj P.S. Case No.176
of 2019, subject to the conditions as laid down under Section
438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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