

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8357 of 2020

Arising Out of PS. Case No.-20 Year-2020 Thana- CHAPRA TOWN District- Saran

Vijay Kumar, aged about 30 years, Male, S/o Raj Bihari Ojha, Resident of
Village - Uma Nagar, P.S.- Chapra Muffasil, District - Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar Tiwary, Advocate

For the Opposite Party/s : Ms. Asha Kumari, APP

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date : 09-06-2020

The matter has been heard *via* video conferencing due
to lockdown imposed on account of the COVID-19 pandemic.

2. Heard Mr. Dhananjay Kumar Tiwary, learned
counsel for the petitioner and Ms. Asha Kumari, learned
Additional Public Prosecutor (hereinafter referred to as the
'APP') for the State.

3. The petitioner is in custody in connection with
Chapra Town P.S. Case No.20 of 2020 dated 08.01.2020
instituted under Sections 420, 467, 468, 120-B/34 of the Indian
Penal Code.

4. The allegation against the petitioner and others is
of activating SIM Cards on the basis of the forged documents
from which extortion calls were made to various persons.

5. Learned counsel for the petitioner submitted that
co-accused Manish Jaiswal, who had made the calls from his



mobile set has stated that the SIM was activated with the help of the petitioner. It was submitted that the petitioner having no criminal antecedent is in custody since 09.01.2020.

6. Learned APP, from the case diary, submitted that the witnesses have stated that the petitioner, who was the Sales Executive of Idea and Vodafone, used to get activated SIM cards on the basis of tampering with copies of Aadhaar Card of various other persons by changing the photographs etc. It was submitted that the SIM from which the extortion call was made was provided by the petitioner and in the papers his photograph is there. It was further submitted that co-accused, Manish Jaiswal, in his confessional statement has stated that it was the petitioner, who had helped in activating the SIM Card from which call for extortion was made.

7. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, the Court is not inclined to enlarge the petitioner on bail.

8. Accordingly, the application stands dismissed.

(Ahsanuddin Amanullah, J)

J. Alam/-

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