

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13073 of 2020

Arising Out of PS. Case No.-277 Year-2015 Thana- SHEOHAR District- Sheohar

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MUKESH PATHAK S/o Lalan Pathak Resident of Village-Marubad, P.S.-
Mehsi, District-East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Harendra Prasad

For the Opposite Party/s : Mr. Satyavrat Verma

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 03-03-2020 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application for regular bail arises out of **Sheohar P.S. Case No. 277 of 2015**, disclosing the offence under Section 387 of the Indian Penal Code.

It is alleged in the First Information Report registered on the basis of a letter addressed by the Electrical Executive Engineer (Project), Electricity Supply Division, Sheohar, to the District Magistrate, Sheohar, that an employee of the Company had received a telephonic call demanding extortion money from a person, who identified himself to be Mukesh Pathak.

Learned counsel for the petitioner has submitted that the Cell phone number from which the call was allegedly made,



does not belong to the petitioner and on the alleged date when the call was made, the petitioner was already in judicial custody.

It appears from the First Information Report that the same was registered against unknown and subsequently, the petitioner has been identified by the Police to be the person who had made such calls.

Learned counsel for the petitioner has submitted that since the petitioner was in custody, there would have been no question of making of such call by him.

It transpires from the statement in paragraph-3 of the application that the petitioner is an accused in at least eleven following cases, each of which, shows involvement of the petitioner in serious offences:-

- (i) *Purnahin P.S. Case No. 93/11, under Sections 453, 302 and 307 of the Indian Penal Code.*
- (ii) *Mehsi P.S. Case No. 131/2010 under Sections 307, 302, 324, 349 of the Indian Penal Code and Section 27 of the Arms Act.*
- (iii) *Mehsi P.S. Case No. 142/10 under Section 387 of the Indian Penal Code.*
- (iv) *Mehsi P.S. Case No. 05/11 under Sections 387, 385 and 34 of the Indian Penal Code.*
- (v) *Mehsi P.S. Case No. 34/03 under Sections*



302 and 120B/34 of the Indian Penal Code.

(vi) Kalyanpur P.S. Case No. 101/11 under Section 387 of the Indian Penal Code.

(vii) Baheri P.S. Case No. 270/15 under Sections 302, 384, 387, 120B/34 of the Indian Penal Code and Section 27 of the Arms Act.

(viii) Belsand P.S. Case No. 21/2012 under Sections 302, 307/34 of the Indian Penal Code and Section 27 of the Arms Act.

(ix) Raxaul P.S. Case No. 138/2016 under Sections 384, 385 and 387 of the Indian Penal Code.

(x) Runnisaipur P.S. Case No. 130/12 under Section 302 of the Indian Penal Code.

(xi) Belsand P.S. Case No. 28/12 under Section 27 of the Arms Act.

Considering the facts and circumstances and particularly the petitioner's criminal antecedents as noted above, I am not inclined to grant the petitioner privilege of regular bail.

This application is, accordingly, dismissed.

(Chakradhari Sharan Singh, J)

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