

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10066 of 2020

Arising Out of PS. Case No.-404 Year-2019 Thana- NATHNAGAR District- Bhagalpur

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MUKESH SHARMA, S/o Sri Ramjee Sharma, Resident of Bishaharasthan,
Champanagar, P.S.- Nath Nagar, Distt- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajay Kumar Jha, APP

For the Opposite Party/s : Mr.Humayu Ahmad Khan, APP

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 25-06-2020 This case has been heard through Video
Conferencing.

Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case
registered for the offence punishable under Sections 420/385 of
the Indian Penal Code.

Prosecution case is that as per FIR, it is alleged that
the informant Pankaj Kumar gave complaint that her sister got
married on 28.06.2012 with Gudluk Kumar. Since August,
2018, one Mukesh Sharma is trying to break the family of his
sister, who is having video on Whatsapp with various copies and
has called him and threatened him several times by phone and
letters and says that he is having informant sister's he is



demanding Rs. 5 lakhs as ransom. Earlier also the accused threatened the informant's family for which written complaint was given on 01.09.2011 and matter was settled on account of assurance given by the accused that he will not repeat the same in future. But the accused is again threatening the husband of his sister (brother-in-law) that he will make the picture viral on internet. In due course, FIR was registered.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. As per the prosecution story, neither the sister of the informant nor his brother-in-law filed any complaint against the petitioner when they are the aggrieved persons for the omission / commission of any alleged offence, which makes the entire case false, concocted and baseless. The petitioner has no criminal antecedent.

Learned APP for the State opposes the prayer for bail petition.

Perused the case diary, which reflects that the mother-in-law of the informant's sister in her statement has not supported the prosecution case which is mentioned in paragraph 29 of the case diary.

In the aforesaid facts and circumstances of the case, I



am inclined to grant anticipatory bail to the above named petitioner, in the event of his arrest or surrender before the court below within a period of six weeks from the date of receipt of the order, be released on anticipatory bail on furnishing bail bonds of Rs. 25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-1st, Bhagalpur in connection with Nathnagar (Lalmatia), P.S. Case No. 404 of 2019, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anjani Kumar Sharan, J)

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