

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19625 of 2020

Arising Out of PS. Case No.-364 Year-2019 Thana- CHHAURADANO District- East
Champaran

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MUNIF MIAN, aged about 20 years (Male), Son of Umar Miyan, Resident of
Village-Bathuahiya, P.S.-Darpa, District-East Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr.Vijay Shankar Shrivastava, Advocate.
For the Opposite Party : Mr.Dr.Mrityunjaya Kr.Gautam, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 19-06-2020 Due to COVID-19 Pandemic, the matter is being
taken up by way of virtual Court proceeding.

The matter has been listed under the heading ‘For
Orders’ under the orders of Hon’ble the Chief Justice.

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

The petitioner seeks bail in a case for the offence
registered under Section 387 of the IPC.

The prosecution story, in brief, is that on 03.11.2019,
at about 10.30 hours, the informant received a call on his
Mobile Phone No. 9934828686 from Mobile Phone No.
9631810804 by which he demanded of Rs. 10,00,000/-
otherwise be ready for result.



It has been submitted by learned counsel for the petitioner that the petitioner is languishing in custody since 09.11.2019. The petitioner has got no criminal antecedent. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner is not named in the F.I.R. His name has transpired in the present case in course of investigation. The Mobile Phone which was used for the alleged occurrence is said to have been recovered from co-accused, namely, Md. Meraj Hussain. The petitioner was also apprehended from the house of the said co-accused. The petitioner had no knowledge that the co-accused was involved in any crime. He has been made accused in the present case due to mistake of fact. There is no recovery of any incriminating article from possession of the petitioner.

On behalf of the State, it is submitted that the petitioner is not named in the F.I.R.

Considering the facts and circumstances of the case and also the lockdown, let the petitioner above named, be released on bail on his personal bond to the satisfaction of the learned S.D.J.M. Raxaul at Motihari, East Champaran in connection with Chauradano P.S. Case No. 364 of 2019.



Once the normalcy is restored, the petitioner shall furnish bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each within a period of four weeks to the satisfaction of the court concerned in connection with the aforesaid case.

Learned counsel for the petitioner is directed to remove the defect/(s), as pointed out by the office, within a period of four weeks from the date of lifting of the lockdown in the State of Bihar.

(Sudhir Singh, J)

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