

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21293 of 2020**

Arising Out of PS. Case No.-77 Year-2020 Thana- SITAMARHI District- Sitamarhi

RAHUL KUMAR Son of Dev Narayan Prasad Resident of Village -
Bhaluaha, P.S.- Kanhauli, District - Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Virendra Kumar

For the Opposite Party/s : Mr. APP

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER**

2 23-07-2020 Heard both sides.

The matter has been taken up through video conferencing.

The petitioner seeks bail in Sitamarhi P.S. case No. 77/2020 registered u/s 387, 414/34 of the IPC and u/s 27 of the Arms Act.

According to allegation made by the informant, two persons came on his shop and one of them fired due to non payment of extortion. On chase one person was apprehended who disclosed his name as Rahul Kumar, the petitioner. The informant alleged that petitioner was accompanying the person who fired at the informant on account of non payment of extortion.

The learned counsel for the petitioner submits that the



petitioner is in custody since 30.01.2020. The petitioner has got no criminal antecedent and only allegation against the petitioner that he was accompanying the person who is alleged to have fired but nobody was injured nor any extortion money was paid and the petitioner has got no criminal antecedent.

The learned APP, however, opposed the prayer but at the same time submitted that petitioner is not the person who fired.

Considering the facts that the petitioner is not the person who is alleged to have fired at the informant due to non payment of extortion amount and the petitioner has remained in jail for more than six months, the petitioner, above named, is directed to be enlarged on bail on his furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Sitamarhi in connection with Sitamarhi P.S. case No.77/2020.

(Prabhat Kumar Jha, J)

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