

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31065 of 2020

Arising Out of PS. Case No.-905 Year-2018 Thana- SITAMARHI District- Sitamarhi

RAKESH KUMAR @ RAKESH RAI S/o Suresh Rai Resident of Village-
Behind of R.D. Pailesh, Indra Nagar Ward No. -18, P.S. and District-
Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar, Adv.

For the Opposite Party/s : APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 24-02-2021 Heard both sides.

The petitioner seeks bail in Sitamarhi P.S. Case No.905 of 2018 registered under Sections 385 and 387 of the Indian Penal Code.

The informant alleged that he received a call from mobile No.8532912087 and the caller demanded extortion. The caller disclosed his name as Rakesh Yadav. The caller threatened the informant of dire consequences, if the ransom is not paid.

The learned counsel for the petitioner submits that petitioner is in jail since 06.09.2019. No ransom was paid and, therefore, no offence under Section 387 I.P.C. is made out. The petitioner is languishing in jail for about 1½ years but it appears that petitioner is the owner of mobile No.8532912087 and it was



petitioner who demanded the ransom from the informant and threatened him of dire consequences. It appears that petitioner has got criminal antecedent and he is accused in as many as seven cases and most of the cases registered under Sections 385 and 387 of the Indian Penal Code.

Taking into consideration the facts aforesaid and the fact that petitioner has got criminal antecedent, I am not inclined to enlarge the petitioner on bail. Accordingly, the same is rejected.

The trial court is directed to hold the trial on day to day basis and conclude the same within four months from the date of receipt of this order.

S.P., Sitamarhi is directed to ensure the attendance of the witnesses so that the trial must be concluded within four months from the date of receipt of this order.

Let a copy of this order be sent to the trial court as well as S.P., Sitamarhi for information and needful.

If the trial is not concluded within four months, the petitioner may renew his prayer for bail, if so advised.

(Prabhat Kumar Jha, J)

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