

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35898 of 2020

Arising Out of PS. Case No.-53 Year-2020 Thana- MAHINDWARA District- Sitamarhi

Shivshankar Kumar @ Shivshankar @ Chhotu Kumar, aged about 22 years,
male, S/o - Madan Thakur, Resident of village - Barheta, P.S. - Mahindwara
District - Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

2 22-01-2021 Heard the learned counsel for the petitioner and
the learned APP for the State.

The petitioner, who is in custody since 01.06.2020,
seeks bail in connection with Mahindwara P.S. Case No. 53
of 2020, dated 24.05.2020, instituted for the offences under
Sections 385 and 387 of the Indian Penal Code.

According to the First Information Report, the
informant received a letter directing him to make payment of



Rs. 5,00,000/- as protection money or else he would be killed. The matter was reported to the police. During the course of investigation, it came to light that the telephone number which was given in the letter belonged to one Ram Das. Aforesaid Ram Das informed the police that the mobile was stolen from him, but he did not report the matter to anybody. The SIM card of the stolen telephone was used in another telephone with a different IMEI number and from the different telephone, the aforesaid call of extortion was made. Later, the telephone from which the extortion call was made was found with one Saifu Khatoon, who alleges to have given the same for repair at the shop of one Md. Saddam. When Md. Saddam was interrogated, he disclosed that the concerned telephone was brought for repair by the petitioner.

Learned counsel for the petitioner has submitted that a very vague connection has been tried to be established by the investigating agency. The petitioner has got no concern with any underground organization demanding protection money nor he has criminal



antecedents.

Considering the afore-noted vague nature of evidence against the petitioner and his period of custody, he is directed to be released on bail on his furnishing bail bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sitamarhi in connection with Mahindwara P.S. Case No. 53 of 2020.

(Ashutosh Kumar, J)

Praveen-II/-

U		T	
---	--	---	--

