

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36815 of 2020

Arising Out of PS. Case No.-239 Year-2020 Thana- DHAKA District- East Champaran

SHASHI BHUSHAN PANDAY S/o Late Mahesh Pandey @ Mukesh Pandey
Resident of Village- Bakhani Bazar, P.S.- Patahi, Distt- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ranjan Srivastava, Advocate
For the informant	:	Mr. Nishant Kiran, Advocate
For the State	:	Mr. Zainul Abedin, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 09-03-2021 Heard Mr. Ranjan Srivastava, learned counsel for the petitioner, Mr. Nishant Kiran, learned counsel for the informant and Mr. Zainul Abedin learned Additional Public Prosecutor appearing for the State.

Petitioner seeks regular bail in connection with Dhaka P.S. Case No. 239 of 2020 registered for the offence punishable under Sections 387 of the Indian Penal Code 1860.

The allegation as per the First Information Report is that the call was made on the Mobile of the informant from Mobile No.977-9809633660 and the caller abused the informant and demanded extortion amount of Rs.20 lakhs and threatened the informant that if the amount would not be paid, he would kill the son of the informant.



Learned counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged and he has falsely been implicated in this case on the basis of confessional statement of co-accused Umesh Sah from whose possession, the Mobile phone, from which the call was allegedly made, was recovered. Learned counsel further submits that the confessional statement of the petitioner was also recorded by the Police. The petitioner is in custody since 14.07.2020 having no criminal antecedent. Learned counsel also submits that there is no possibility that the petitioner will abscond or tamper with the evidence and charge sheet has already been submitted against the petitioner.

On the other hand, learned counsel for the informant and State vehemently opposed the prayer for bail and submit that the petitioner in nexus with co-accused Chandan Jha and Umesh Sah, hatched conspiracy and demanded extortion amount from the informant.

Having regard to the submissions made by the parties and taking into consideration the nature of allegation, the fact that the petitioner is in custody since 14.07.2020 having clean antecedent and charge sheet has already been submitted as well as there is no possibility that the petitioner will abscond or



tamper with the evidence, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate-VI, Dhaka, East Champaran, in connection with Dhaka P.S. Case No. 239 of 2020.

It is made clear that at the time of furnishing bail bonds all the parties shall follow the guidelines regarding social distancing.

(Anil Kumar Sinha, J)

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