

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.999 of 2021

Arising Out of PS. Case No.-105 Year-2020 Thana- BISHWAMBHARPUR District-
Gopalganj

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Ram Naresh Kushwaha @ Ram Naresh Prasad @ Ram Naresh Prasad Verma
son of Late Srikishun Prasad Resident of Village- Durg Matihania, P.S.-
Bishambharpur, District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raghav Prasad, Advocate.

For the Opposite Party/s : Mr. Sanjay Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 08-04-2021 Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual court proceeding.

Learned counsel for the petitioner undertakes to remove
the defects within four weeks of resumption of normal court
proceeding. In the eventuality of non-removal of defects within
undertaken period, the office will place the matter before the
Bench.

The petitioner seeks bail in connection with
Bishmbharpur P.S. Case No. 105 of 2020 registered for the
offence punishable under Section 387 of the Indian Penal Code.

As per the prosecution case, on the basis of written
petition of informant Kamleshwar Sah, one Pappu and Manish
made threatening calls on informant's mobile and demanded



extortion money of Rs. 20 lacs.

It is submitted by learned counsel for the petitioner that petitioner has falsely been implicated in this case and has not committed any offence as alleged in the FIR. He submits that petitioner's name has come in the case on the basis of confessional statement of named accused Pappu Kushwaha. He submits that petitioner has been made accused in four cases as mentioned in para 3 of the bail application and petitioner is not named in any above mentioned cases. He is quite innocent and has been falsely implicated in this case. He is neither named in the F.I.R. nor any incriminating article has been recovered from his conscious physical possession. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. The petitioner is a government servant as mentioned in para 15 of the bail application and has been languishing in custody since 09.09.2020.

There is nothing in the record indicating the complicity of the petitioner in the occurrence barring the confessional statement of the co-accused which has not evidentiary value in the eye of law.

Learned APP for the State opposed the bail petition.

Considering the facts aforesaid, the above named



petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending in connection with Bishambharpur Police Station Case No. 105 of 2020.

(Anjani Kumar Sharan, J)

GAURAV S./-

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