

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6765 of 2021

Arising Out of PS. Case No.-457 Year-2019 Thana- FORBESGANJ District- Araria

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MUKESH PANDEY @ BIRJU PASWAN Son of Late Mahadeo Pandey
Resident of Mohalla- Subhas Chock, Ward No.01, Vill- Baijnathpur, P.S.-
Farbisganj, Distt- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Arvind Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 03-08-2021 Heard learned counsel for the parties through video conferencing.

The petitioner has preferred this application for grant of regular bail in a case registered under section 387 of the Indian Penal Code.

Allegation in the F.I.R. is of demand of rangdari of Rs.1 crore from the two mobile phone numbers mentioned therein.

At the outset, it is submitted by learned counsel for the petitioner that the earlier application for bail of the petitioner was rejected vide order dated 6.2.2020 (Annexure-1). The F.I.R. was registered against the users of the two mobile phones from which the demand of rangdari has been made. It is submitted



that the petitioner was arrested in Forbesganj P.S. Case no.424 of 2019 and a purported confessional statement was recorded by the police in the said case to the effect that one of the mobile numbers was used by the petitioner and one day later the instant F.I.R. was registered. No incriminating article has been recovered from the petitioner's possession who is in custody since 3.7.2019. In spite of more than a year having passed since the last order of rejection, the trial in the case has not proceeded.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case, the contents of the report received from the learned court below according to which even charge in the case has not been framed together with the petitioner having remained in custody for two years, the Court directs the petitioner to be enlarged on bail in connection with Forbesganj P.S. Case no.457 of 2019 on 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, Araria.

(Partha Sarthy, J)

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