

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9418 of 2021

Arising Out of PS. Case No.-69 Year-2019 Thana- BELSAND District- Sitamarhi

VIKASH MISHRA Son of Laxmikant Mishra @ Laxmikant Misra Resident
of Village - Jafarpur, P.S. - Belsand, District - Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kumar

For the Opposite Party/s : Mr.Uma Shankar Prasad Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 09-09-2021 Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual court proceeding.

The petitioner seeks bail in connection with Belsand P.S.
Case No.69 of 2019 registered for the offence punishable under
Sections 387/34 of the Indian Penal Code.

Allegation against the petitioner is that he demanded
Rs.2.5 Lacs from the informant as extortion from different
mobiles and was threatening him of dire consequences and to
implicate him in Tunna Singh murder case on failing to pay the
demanded money.

It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has not committed any offence
as alleged in the FIR. No offence as alleged has ever taken
place. He has been falsely implicated in this case merely due to



enmity and local village politics. Petitioner has never demanded any ransom from the informant nor ever he threatened the informant to fear of death or otherwise. The fact is that informant has taken debt of Rs.2,50,000/- from the petitioner and when petitioner demanded the money back, then he used to avoid it and unfortunately due to local village police, name of the petitioner came in a murder case then the informant cooked a false story and lodged this false case against the petitioner merely to misappropriate the debt money of the petitioner. The petitioner has two criminal antecedent and has been languishing in custody since 10.06.2020.

Learned APP for the State opposed the prayer for bail.

Considering the facts and circumstances of this case, 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 A.C.J.M.-I, Sitamarhi, in connection with Belsand P.S. Case No.69 of 2019, subject to the following conditions:

(1) One of the bailors will be own close relative of the petitioner who will give on affidavit genealogy as to how he is relative to petitioner. The bailor will also undertake to inform



the court if there is any change in the address of the petitioner.

(2) The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

(3) The petitioner shall remain physically present in the court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

(4) The petitioner shall co-operate with the investigation, if not already concluded and make himself available and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Anjani Kumar Sharan, J)

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