

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5873 of 2022

Arising Out of PS. Case No.-6 Year-2021 Thana- KURTHA District- Jehanabad

Pawan Kumar Son of Lakhan Mahto Resident of Village - Kokari Tola, P.s.-
Kako, Distt.- Jehanabad (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Leelawati Kumari,
For the Opposite Party/s : Mr. A.G.

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 09-06-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with Kurtha P.S. Case No. 06 of 2021 instituted for the offences under Sections 385 and 387 of the Indian Penal Code and Sections 11 and 13 of the Unlawful Activities (Prevention) Act, 1967 (UAPA).

Learned counsel for the petitioner submits that the petitioner is in custody since 29.11.2021, charge-sheet has been submitted in the case and has antecedent of three cases.

The informant alleges that he received extortion call from an unknown mobile no. 8541802628 on his mobile in which the caller introduced himself as a person of Moist group and asked to send the extortion amount to Kinjar or Ataulah,



failing which he will be killed.

Learned counsel for the petitioner submits that petitioner runs a shop in the name and style of *Pankaj Pay Phone* at Kako, Jehanabad and the extortion money was demanded through SIM card bearing no. 8541802628 which was issued from the petitioner's shop. It is further submitted that he has no concern or knowledge of occurrence of present case neither does he has any knowledge, concern or acquaintance with the other co-accused namely, Shankar Yadav. It is further submitted by learned counsel for the petitioner that another co-accused namely, Shankar Yadav has already been granted bail by a Co-ordinate Bench of this Court vide order dated 30.03.2022 passed in Cr. Misc. No. 64210 of 2021

Learned A.P.P. for the State vehemently opposes the prayer for regular bail of the petitioner.

Considering the fact that the petitioner is in custody since 29.11.2021, charge-sheet has been submitted in the case, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Arwal in connection with Kurtha P.S. Case No. 06 of 2021, subject to the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be



properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Khatim Reza, J)

Gaurav Kumar/-

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