

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34729 of 2021**

Arising Out of PS. Case No.-234 Year-2016 Thana- RAJIVNAGAR District- Patna

Jyoti Basu Kumar @ Jyoti Basu @ Basu Son Of Ashok Kumar Singh R/O
Village- Banauta, P.S.- Parsa, Dist.- Saran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shyameshwar Kumar Singh, Advocate
For the Opposite Party/s : Mr. Anant Kumar No.1, APP

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

4 07-02-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual Court proceedings.

The petitioner seeks bail in connection with Rajeev
Nagar P.S. Case No. 234 of 2016 instituted for the offences
under Section 364(A) of the Indian Penal Code.

Learned counsel for the petitioner submits that the
petitioner is in custody since 20.02.2021, charge-sheet has been
submitted in the case and has antecedent of two cases as
mentioned in paragraph '3' of the bail application.

Learned counsel for the petitioner submits that the
informant alleges that her son Pappu Kumar left for Hajipur on
12.11.2020, further that on the same day, one person named
Digvijay Singh came to the house of the informant and informed
that Pappu is not picking the phone and further informed that



her son eloped with a girl. It is further alleged that the informant on her mobile number 8864044101 received a call from her son's mobile number 7050832951 and she was asked to pay Rs. one lakh by way of extortion. Further, it is alleged that after sometimes informant received another phone call and this time the extortion demand was raised to Rs. six lakhs, thus on basis of suspicion it is alleged that Digvijay Singh had kept her son as a captive and is demanding extortion.

Learned counsel for the petitioner submits that petitioner is not named in the F.I.R. even suspicion is against Digvijay Singh and the name of the petitioner transpired in the statement of the victim in his statement under Section 164 Cr.P.C. wherein he stated that on 12.11.2020 Digvijay Singh along with Basu had come searching him but his mother informed that he had gone to Hajipur. Learned counsel further submits that even from the statement made under Section 164 of the Cr.P.C. no case is made out against the petitioner as there is no allegation that he was involved in any manner in the occurrence. Further, it is submitted that the victim is an accused in Shastri Nagar P.S. Case No. 6 of 2017 for murder of wife of Ram Babu Mandal, hence present false case has been instituted by the informant to shield the victim from Shastri Nagar P.S.



Case number 6 of 2017.

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

Considering the fact that the petitioner is in custody since 20.02.2021, charge-sheet has been submitted in the case, petitioner is not named in the F.I.R. and even the victim in his statement under Section 164 Cr.P.C. has not stated anything which even remotely implicates the petitioner and the allegation is based on suspicion, let the petitioner above named be released 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 learned A.C.J.M.-III-cum-Sub Judge, Patna in connection with Rajeev Nagar P.S. Case No. 234 of 2016 with a condition that one of the bailor shall be the father of the petitioner (Ashok Kumar Singh).

(Satyavrat Verma, J)

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