

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33673 of 2022

Arising Out of PS. Case No.-37 Year-2022 Thana- BARH District- Patna

Abhishek Kumar @ Golu Son of Manoj Sharma Resident of Village -
Budhanichak, P.S.- Barh, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Sinha, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 08-09-2022 The learned counsel for the petitioner is directed to
remove all the defects pointed out by the Stamp Reporter within
one month.

Heard learned counsel for the petitioner and the
learned APP for the State.

Petitioner seeks regular bail in connection with Barh
P.S. Case No. 37 of 2022 registered for the offences punishable
under Sections 384 and 385 of the Indian Penal Code.

Allegedly, an extortion demand of Rs.5lakh was made
from the informant through mobile communication and that call
was made at the mobile number of informant's son by using the
mobile No.9631770723.

The main submissions advanced by the learned
counsel Mr. Rajesh Kumar Sinha for the petitioner are that the



alleged sim which was used in making the alleged extortion demand was in the name of one namely Dhiraj Kumar and the said sim was recovered from mobile shop and during the course of investigation one Rutendra Kumar @ Gore Lal who is the proprietor of said Rutendra Mobile shop disclosed that the alleged sim was given to the petitioner and co-accused Satyam Shekhar and Sujeet Kumar but during the investigation the alleged sim which was used in calling the informant and making an extortion was not recovered from the possession of this petitioner and after petitioner's arrest in the present case he got remanded in the other case except the said case there is no any other criminal antecedent against the petitioner. Further submission is that the petitioner is a student of S.N.A. Evening College, Barh and he has been languishing in jail since 24th January, 2022.

Learned APP Mr. Ajit Kumar appearing for the State has opposed the bail prayer.

In view of above submissions and mainly taking into account that there is no allegation of having delivered the money which was allegedly demanded by the accused persons from the informant and petitioner has taken the plea that the alleged sim which had allegedly been used in the alleged crime



was issued in the name of other person namely Dhiraj Kumar and also considering the petitioner’s custody period, his educational and academic carrier, in the opinion of this Court a lenient approach can be taken in respect of the petitioner’s prayer, let the petitioner be released on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the concerned Court in connection with Barh P.S. Case No. 37 of 2022.

(Shailendra Singh, J.)

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