

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.43471 of 2022**

Arising Out of PS. Case No.-133 Year-2021 Thana- MASHRAK District- Saran

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Dhiraj Kumar S/O Ranvir Bhagat Resident of village- Panapur kanti, P.S.-  
Panapur, (O.P), Manikpur, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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**Appearance :**

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

For the Opposite Party/s : Mr. Md. Fahimuddin, APP.

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**CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH**  
**ORAL ORDER**

3      28-11-2022                      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  
  
Mashrak P.S. Case No. 133 of 2021 registered for the offences  
  
punishable under Sections 399, 402 and 387 of the Indian Penal  
  
Code.

As per the prosecution, while the informant along  
  
with other police personnel were on a regular patrolling duty  
  
received a secret information, acting upon which they proceeded  
  
to the alleged place and seized the alleged vehicle from which  
  
some incriminating articles were recovered. Further it is alleged



that the accused persons used to ask for extortion from passerby.

At the outset, learned counsel Mr. Nalin Kumar appearing for the petitioner filed supplementary affidavit in the light of the permission given to him on the last date. Let the supplementary affidavit be kept on record.

The main submissions advanced by learned counsel appearing for the petitioner are that the petitioner was not named in the FIR at the time of lodging the FIR and the petitioner was not identified as being involved in the alleged crime of extortion and during the course of investigation his name surfaced in the alleged crime and against him there is criminal antecedent of one case in which he is on bail and from that case the petitioner was remanded in the present case. Further submission is that the petitioner has been languishing in jail since 27.04.2022.

Learned APP Mr. Md. Fahimuddin appearing for the State has opposed the bail prayer.

Having regard to the facts and circumstances of this case, considering above submissions and taking into account the petitioner's custody period and also the fact that as per the FIR specific persons being aggrieved from the alleged act of the petitioner did not come out when the incident of extortion came



into light and the allegation of extorting money from the drivers of the vehicles is general and omnibus, in the opinion of this Court the petitioner deserves to a lenient approach of this Court. Accordingly, let the petitioner be enlarged 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 Court concerned in connection with Masharakh P.S. Case No. 133 of 2021.

(Shailendra Singh, J)

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