

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44329 of 2022

Arising Out of PS. Case No.-87 Year-2020 Thana- CHARPOKHARI District- Bhojpur

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Deepak Pandey, Son Of Late Umesh Pandey @ Buchan Pandey, R/O Village-
Sikraul, P.S.- Sikrahta, O.P.- Sinha, District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar, Advocate

For the State : Mr. Sharda Kumari, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 16-12-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual court proceeding.

Learned counsel for the petitioner submits that due to
typographical error in prayer portion “in connection with Barhara
(Sinha O.P.) P.S. Case No. 15/2021” has wrongly been mentioned
as whereas, it should be “in connection with Charpokhari P.S. Case
No. 87 of 2020”. He seeks permission to correct the same.

Let the defect (s), if any, as pointed out by the office,
be removed within a period of four weeks.

In the present case, the petitioner seeks bail in
connection with Charpokhari P.S. Case No. 87 of 2020 registered
for the alleged offences under Sections 504, 506, 386 and 34 of the
Indian Penal Code.

As per prosecution case, the informant received

extortion calls from the mobile numbers mentioned in his written report and the extortionist threatened him with life as well. On making return call the informant came to know the name of the petitioner and two other co-accused persons who made these calls to him. Informant has further alleged that he has given Rs. 98000/- to co-accused Narayan Pandey as extortion money and still Rs. 20,00,000/- was being demanded from him.

Learned counsel for the petitioner submits that there is no specific allegation against the petitioner and the allegation are quite vague. It is also apparent from the F.I.R. that extortion money was paid to co-accused Narayan Pandey and not to this petitioner. None of the mobile numbers belong to this petitioner the co-accused Sonu Kumar has been granted bail by a Coordinate Bench vide order dated 17.03.2021 passed in Cr. Misc. No. 39802 of 2020. Charge sheet has been submitted in this case and the petitioner is in custody since 24.05.2022. The petitioner has clean antecedent.

Learned APP for the State opposes the prayer for bail of the petitioner.

Having regard to the facts and circumstances and submission made on behalf of the parties and considering the submission of charge sheet along with period of custody of the petitioner and his clean antecedent, the petitioner above named is

directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. 1st, Bhojpur at Ara in connection with Charpokhari P.S. Case No. 87 of 2020, subject to the conditions mentioned in Section 437(3) of the Code of Criminal Procedure and also the following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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