

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.55631 of 2021**

Arising Out of PS. Case No.-443 Year-2021 Thana- AHYAPUR District- Muzaffarpur

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Ashish Kumar Son of Sanjay Singh Resident of Village- Laukariya, P.S.-  
Chanpatia, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

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

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

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**CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR**  
**ORAL ORDER**

4      06-09-2022                      Let the defects, if any, be removed within four  
weeks from today.

Heard learned counsel for the petitioner as well as  
learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered in  
connection with Ahiyapur P.S.Case No. 443 of 2021 for  
the offences punishable under Sections 387 of the Indian  
Penal Code.

As per the prosecution case, it is alleged that the  
informant runs a shop Rudransh Automobile situated at zero  
miles. On 04.07.2021 when the informant was in his shop,  
he received a call from mobile no. 7488273988, and caller  
demanded extortion and threatened to kill him if the



extortion money will not be paid.

Learned counsel appearing on behalf of the petitioner that FIR instituted against the owner of the mobile number in question which is found in the name of Chandrakala Devi, wife of Subodh Rai. She disclosed that petitioner is friend of her daughter namely Ranjeeta Kumari and he misused the mobile phone and created a fake whatsapp account and by using the same, he might have been called the informant. He further submits that admittedly, there is a dispute between the parties as father of the petitioner filed complaint case no. 1812 of 2021 against the present informant and two others on 11.01.2021. He next submits that the petitioner having fair antecedent is in custody since 05.08.2021 and moreover, the investigation of the crime is already completed and the charge sheet has already been submitted.

On the other hand, learned counsel for the State opposed the bail application of the petitioner.

Regard being had to the facts that the petitioner is neither owner of the mobile no. 7488273988 nor the voice sample of the petitioner has been examined, coupled



with the period of incarceration and the petitioner having fair antecedent, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Muzaffarpur in connection with Ahiyapur P.S. Case No. 443 of 2021 subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

**(Harish Kumar, J)**

N.K/-

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