

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62926 of 2021

Arising Out of PS. Case No.-102 Year-2021 Thana- SUGAULI District- East Champaran

BITTU SINGH Son of Kuwar Singh Resident of Village - Bhataha, P.S.-
Sugauli, District - East Champaran, Motihari.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sharda Nand Mishra
For the Opposite Party/s : Mr.Madhura Nand Jha

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 04-04-2022 Heard the learned counsel for the petitioner
and the learned APP for the State.

The petitioner seeks regular bail in connection with Sangauli P.S. Case No. 102/2021, registered for the offence punishable under Sections 385, 387, 307, 506 of the Indian Penal Code and Section 27 of the Arms Act.

The allegation is regarding the informant having received a threat on mobile phone demanding extortion money failing which dire consequences shall befall. Subsequently, it is alleged that while the informant was sitting in his house along with his family members, two



unknown miscreants had arrived at the door of the house of the informant on an Apache motorcycle, whereafter they are alleged to have fired gunshot outside the house of the informant. It is also alleged that subsequently also, extortion calls were received by the father of the informant.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case and he is languishing in custody since 27.7.2021. The learned counsel for the petitioner has further submitted that though the petitioner is an accused in two other cases, but he is on bail in the said two cases. It is also submitted that the mobile number in question from which extortion call is stated to have been made to the informant does not belong to the petitioner.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the



petitioner and taking into account the materials available on record as also considering the fact that neither any Test Identification Parade has been held so as to connect the petitioner with the alleged crime nor the petitioner is alleged to have received any extortion money, apart from the fact that he is languishing in custody since about eight months, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM, East Chaparan, Motihari in connection with Sagauli P.S. Case No. 102/2021.

(Mohit Kumar Shah, J)

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