

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68502 of 2021

Arising Out of PS. Case No.-241 Year-2018 Thana- NAUBATPUR District- Patna

MANIK SINGH @ MANIK KUMAR @ ADITYA KUMAR @ BAUA Son
of Sri Manoj Singh Resident of Village - Shambhupura, P.S.- Naubatpur,
District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar Pathak, Advocate

Mr. Pramod Kumar, Advocate

For the Opposite Party/s : Mr. Binod Kumar No. III, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 21-04-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Let the defect(s), if any, be removed within a period
of four weeks after complete start of the physical Court.

The petitioner seeks bail in a case registered for the
offences punishable under Sections 385 and 387 of the Indian
Penal Code.

Learned counsel for the petitioner submits that the
petitioner is in custody since 27.02.2021, charge-sheet has been
submitted and has antecedent of sixteen cases.

The informant alleges that he received extortion call
from mobile no. 8112367516 on his mobile number asking to
pay Rs.10,00,000/-. The informant further alleges that Whatsapp
message is available on his mobile.



Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case based on his antecedent. It is submitted that no criminal would make a call and ask extortion from his mobile. Learned counsel submits that the mobile from which the call came was in the name of Esha Prajapati, daughter of Rajendar Prajapati. It is also submitted that allegation is only of making a call for extortion but no money was paid, as such, no case under Section 387 of the Indian Penal Code is made out. At best, it is a case of under Section 385 of the Indian Penal Code which is bailable. Learned counsel for the petitioner further submits that based on the investigation of the CDR, it is surprising that no call was made from the aforesaid mobile number within three days, as such, it appears that a false case was reported to the police and the police took this as an opportunity to book the petitioner.

Learned A.P.P. for the State vehemently opposes the prayer for regular bail of the petitioner.

Considering the fact that the petitioner is in custody since 27.02.2021, charge-sheet has been submitted and taking into consideration the submissions made by the learned counsel for the petitioner, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.25,000/- (Rupees



Twenty-five Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Naubatpur P.S. Case No. 241 of 2018, subject to the condition that one of the bailors of the petitioner shall be the father (Manoj Singh).

(Satyavrat Verma, J)

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