

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68984 of 2021

Arising Out of PS. Case No.-57 Year-2021 Thana- BARGAINIA District- Sitamarhi

Manish Kumar, Son of Satya Narayan Raut, R/o Village Ward No. 7, Birta Mushurniya (Puranduha Rajwaramai Tola), P.S. - Sonbersa, District - Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Murari, Advocate

For the Opposite Party/s : Mrs. Rita Verma, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 21-09-2022 Heard learned counsel for the petitioner and learned APP for the State.

Let the defect (s), as pointed out by the office, be removed within a period of four weeks from the date of resumption of physical filing and physical removal of defect.

In the present case, the petitioner seeks bail in connection with Bairgania P.S. Case No. 57 of 2021 registered for the alleged offences under Section 386 of the Indian Penal Code.

As per prosecution case, demand of extortion money amounting to Rs. 25,00,000/- (twenty five lakhs) was made from the informant on his phone. Earlier the father of the informant was murdered for not paying the extortion money so



he became very afraid and reported the matter to the police. Name of the petitioner surfaced during investigation as one of the accused persons.

The learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this case. He is not named in the FIR and his name came up in this case on the basis of confessional statement of co-accused Himanshu Jha. The extortion demand was made from the mobile of one Abhishek Roy. Learned counsel further submits that co-accused has confessed that he had been making plan for taking extortion money from informant Ram Babu before he was arrested. Learned counsel further submits that the petitioner has no role in the alleged occurrence. The petitioner is in custody since 29.07.2021.

Learned APP opposes the prayer for bail submitting that the petitioner is alleged to have demanded extortion money from the informant and he is having criminal antecedent.

Perused the records.

Having regard to the submissions made on behalf of the parties and considering the period of custody of this petitioner and the submission of charge-sheet, 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 Chief Judicial Magistrate, Sitamarhi in connection with Bairgania P.S. Case No. 57 of 2021, subject to the conditions mentioned in Section 437(3) of the Cr.P.C. and the following conditions:

(i) The bail bond of the petitioner will be accepted only after framing of charge, if not already framed.

(ii) One of the bailors will be Tetari Devi, mother of the petitioner, who has sworn the affidavit in this case.

(iii) The petitioner will remain present on each and every date fixed by the court below.

(iv) 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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