

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69638 of 2021

Arising Out of PS. Case No.-194 Year-2021 Thana- SONO District- Jamui

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Piyush Kumar Singh @ Piyush Kumar Son of Triveni Singh Resident of
Village - Tihiya, P.S. - Khaira, District - Jamui.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

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

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 27-09-2022 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 Sono P.S. Case No. 194 of 2021 registered for the alleged offences under Sections 384, 385 and 120(B) of the Indian Penal Code.

As per prosecution case, extortion demand of Rs. 5,25,000/- was made from the informant in the name of an extremists organization. The name of the petitioner surfaced during investigation as an accused person in this case.

Learned counsel for the petitioner submits that



petitioner is innocent and has been falsely implicated in this case. He has been made accused on the basis of his extra judicial confessional statement. The petitioner was interrogated in this case on the basis of the mobile number from which the informant received a call and the said number was stated to be used by this petitioner. Learned counsel further submits that no money was paid by the informant and hence, there would be no application of Section 384 of I.P.C. against the petitioner. The petitioner has not put to informant to any threat in order to commit extortion and for this reason, there would be no application of Section 385 of I.P.C. as well. The alleged mobile number was not used by this petitioner. Charge sheet has been submitted in this case and the petitioner is in custody since 29.07.2021.

Learned APP for the State opposes the prayer for bail of the petitioner submitting that petitioner has got criminal antecedent. Learned APP further submits that the SIM from which extortion demand was made was being used by this petitioner.

Perused the records.

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, 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, Jamui in connection with Sono P.S. Case No. 194 of 2020, subject to the conditions mentioned in Section 437(3) of the Code of Criminal Procedure and also 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 a close relative of the petitioner.
- (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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