

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18010 of 2023

Arising Out of PS. Case No.-74 Year-2014 Thana- MADHUBAN District- East Champaran

MICHLE @ VIVEKANAND VIDARTHI S/O JANKI SAH Resident of
Village- Wajitpur, P.S.- Madhuban, District- East Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Ajay Kumar Jha, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 26-07-2023 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State.
2. The petitioner apprehends his arrest in a case registered
for the offence punishable under Section 387 of the Indian Penal
Code.
3. Learned counsel for the petitioner submits that
petitioner has antecedent of two cases.
4. The informant alleges that he received a ransom call on
his mobile number on 16.02.2014 from mobile number 7654664349
and the caller demanded Rs.11 lakhs by way of extortion and
disclosed his name as Raushan Singh thereafter again the informant
received another extortion call on 17.02.2014 and on 23.05.2014
when he was returning from his kiln (*Chimani*) two accused persons
intercepted and demanded the extortion amount and threatened of
killing for non-fulfillment of the demand.
5. Learned counsel for the petitioner submits that



petitioner has been falsely implicated in the present case. It is further submitted that petitioner is not named in the FIR and he came to be implicated based on the confessional statement of Raushan Singh in police custody which does not have any evidentiary value in the eye of law.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner and submits that the occurrence is of the year 2014 and from the pleadings made in the anticipatory bail application it is not clear that as to when the name of the petitioner transpired in the case, how the petitioner came to know about the pendency of the case and since nine years have elapsed whether any proceeding under Sections 82 and 83 Cr.P.C. has been initiated against the petitioner or not.

7. Considering the submission made by the learned A.P.P., the Court is not inclined to extend the privilege of anticipatory bail to the petitioner in connection with Madhuban P.S. Case No. 74 of 2014 pending in the Court of learned Sub-Divisional Judicial Magistrate, Pakaridayal, East Champaran/successor Court.

8. Accordingly, the prayer for anticipatory bail of the petitioner is rejected.

(Satyavrat Verma, J)

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