

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20356 of 2023

Arising Out of PS. Case No.-386 Year-2022 Thana- DHAKA District- East Champaran

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Raja Babu @ Guddu Sai Son Of Tabarak Sai Resident Of Village- Dhaka
Ram Chandra, Ps- Dhaka, Distt- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shakil Ahmad Khan, Advocate

For the Opposite Party/s : Mr. Anita Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 17-05-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Dhaka
P.S. Case No. 386 of 2022 dated 01.07.2022, instituted for the
offence punishable under Sections 387/506 of the Indian Penal
Code.

3. The prosecution case in short is that, the informant
received a letter through post demanding Rangdari of Rs. 10
lakh with threatening to kill, if not paid or informed to police.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he is falsely implicated in this case. It
is further submitted that petitioner is not named in the F.I.R. and
there is specific allegation against one Barun Kumar. He further
submits that the said F.I.R. was lodged on 01.07.2022. The



petitioner and informant are familiar with each other and the petitioner has taken a loan of Rs. 8000/- from the informant for which some altercation started between the parties on 25.07.2022 and the informant threatened the petitioner that if he does not return his Rs. 8000/- within two days then he will face the consequences. It is further stated that the name of the petitioner came in this case only on the basis of suspicion in supervision notes. He further stated that the case under Section 387/506 of the Indian Penal Code is not made out against the petitioner and it is false and fabricated prosecution story narrated by the informant. Lastly, it has been submitted that the petitioner is in custody since 30.11.2022 has criminal antecedents of three cases and charge-sheet has been submitted in the case.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M. Dhaka, East Champaran at Motihari in Dhaka P.S. Case No. 386 of 2022,



subject to the following conditions:-

1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. One of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife.

3. The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

4. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Khatim Reza, J)

Sankalp/-

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