

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24599 of 2023

Arising Out of PS. Case No.-659 Year-2020 Thana- SIKARPUR District- West Champaran

MEER FARMAN SON OF MEER MURTUZA R/O VILLAGE- MEE TOLI,
SUGAULI, P.S.- SUGAULI, DISTRICT- EAST CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aditya Nath Jha, Advocate

For the Opposite Party/s : Mr. Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

4 24-08-2023

Heard the parties.

The petitioner is an accused in connection with Shikarpur P.S. Case No. 659 of 2020 registered for the offences under sections 384 and 386 of the Indian Penal Code lodged on 07.12.2020 by the informant, Rashmi Verma.

As per the prosecution story, allegation is of calling the local lady M.L.A of Shikarpur, West Champaran demanding extortion of Rs. Twenty Lakhs or face the consequences. Accordingly, the FIR.

It is the case of the petitioner that he is not the holder of the said mobile/SIM number from which the call was made, his name has come in the confessional statement of Amir Khushro who has since been granted bail by the Sub-ordinate Court itself which he has been brought on record by way of



supplementary affidavit (Annexure -2). He submits that he has already suffered by being in custody since 11.01.2021(as stated in paragraph 9 of the bail application).

Learned APP for the State, on the other hand, opposes the prayer for bail and submits that the accused persons had made the extortion call. He further informs the Court that the SIM is in the name of Mantra Devi who is mother-in-law of Munna Kumar, another accused.

Taking into account the aforesaid submissions put forward by the learned Counsel for the petitioner, his period of custody as also the fact that main culprit who had made the call, Amir Khushro has since been granted bail by Sub-ordinate Court itself, this Court is inclined to extend him privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousands only) with two sureties of like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bettiah in connection with Shikarpur P.S. Case No. 659 of 2020, subject to the following conditions:-

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his *bona fide*;



(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every month for next one year to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of his bail bonds;

(v) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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