

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34118 of 2023

Arising Out of PS. Case No.-64 Year-2023 Thana- KHARHAGPUR District- Munger

Pappu Kumar Sah, S/o- Suresh Sah, Village- Muzaffarganj PS- Haweli
Kharagpur Dist- Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar Roy, Advocate

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

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 24-07-2023 Heard Mr. Anil Kumar Roy, learned counsel

appearing on behalf of the petitioner and the learned APP for the

State.

2. The petitioner apprehends his arrest in connection
with Kharagpur P.S. Case No. 64 of 2023 registered for the
offence punishable under Sections 341, 384, 386, 504/34 of the
Indian Penal Code.

3. It is alleged that the son of the informant had
purchased a new house, however, the local *Mukhiya*, namely,
'Kundan Mandal' and other accused persons, forcibly tried to
grab the house and put a lock thereon. Further submissions has
been made that on 04.02.2023 she received an extortion demand
of Rs. 2 lakhs. The informant further alleged that the petitioner
is hand in gloves with *Mukhiya* (Kundan Mandal) and other



accused persons and earlier also he has taken Rs. 25,000/- in the name of said *Mukhiya*.

4. Learned counsel appearing on behalf of the petitioner submits that both the petitioner and the informant are next door neighbour and so far the earlier FIR instituted by the informant is concerned, the petitioner is not named therein. Further submission has been made that the demand of extortion has been made from mobile no. 8102002826, which does not belong to the petitioner, rather the same is in the name of (Mukhiya) 'Kundan Kumar Paswan'. So far the taking away of Rs. 25,000/- is concerned, the same has been denied and, moreover, for that, at no point of time, any complaint has ever been made. The petitioner is carrying no criminal antecedent.

5. On the other hand, learned APP for the State vehemently opposes the pre-arrest bail application of the petitioner and submits that the allegation suggest the complicity of the petitioner.

6. Regard being had to the submissions made on behalf of the parties and considering the nature of allegation and the fact that the mobile number from which extortion demand has been made, does not belong to the petitioner, coupled with the fair antecedent, let the above named petitioner, be released



on bail, in the event of his arrest of surrender before the learned Court below within a period of four weeks from today, on furnishing bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Munger in connection with Kharagpur P.S. Case No. 64 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. with further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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