

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39889 of 2023

Arising Out of PS. Case No.-230 Year-2020 Thana- SHERGHATI District- Gaya

ASHOK MAHTO @ VIJAY JEE Son of Late Govardhan Mahto Village-
Chandri, P.S.- Pratap Pur, Dist- Chatra, Jharkhand

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Paras Nath, Adv.

For the Opposite Party/s : Mr. Aditya Narayan Singh.1, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 17-07-2023 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. Petitioner seeks regular bail in connection with
Sherghati(Dobhi) P.S. Case No. 230 of 2020, dated 24.05.2020
registered for the offence punishable under Sections 384 of the
Indian Penal Code.

3. The main submissions advanced by petitioner's
counsel are that as per the allegation levelled in the FIR, an
extortion demand was made by using a mobile phone and by
revealing the name of caller as Vijay. Though, the mobile
number which was used in making that call stands in the name
of Vijay but the parentage and address does not tally with this
petitioner and simply name of bearer of the said mobile number
is similar to the name of this petitioner and mainly on the said



basis he has been remanded in the present matter. It is further submitted that the petitioner was remanded in the present matter from Pratap Pur P.S. Case No. 123 of 2020 and after remand police mainly relied upon his statement given before the police, except this there is no material against him and he has got bail in the said Pratap Pur P.S. Case No. 123 of 2020. Further submission is that similarly situated co-accused persons namely, Amarjeet Yadav @ Amarjeet Kumar Yadav and Bhola Yadav @ Amarjeet Kumar @ Babu @ Guru Jee have been granted bail by a co-ordinate Bench of this Court vide order passed in Cr. Misc. No. 34469 of 2021 and there is no allegation of delivery of any money which is alleged to have been demanded from the informant. Further submission is that the petitioner has been languishing in jail since 06.08.2022 and against him, the investigation has been completed.

4. Learned APP appearing for the State opposes the prayer for bail.

5. Considering the above submissions and mainly petitioner's custody period and also the fact that as per FIR delivery of money which was demanded was not made by the informant and the matter relates to extortion demand, in my opinion, it is a fit case for bail to the petitioner. Accordingly, let



the petitioner named-above be enlarged on bail on furnishing
bail bond of Rs. 10,000/- (ten thousand) with two sureties of the
like amount each to the satisfaction of the concerned Court in
connection with Sherghati P.S. Case No. 230 of 2020.

(Shailendra Singh, J.)

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