

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44297 of 2023

Arising Out of PS. Case No.-239 Year-2023 Thana- SIKARPUR District- West Champaran

NIPU KUMAR DUBEY @ NIPU KUMAR @ NIPPU DUBEY, Male, aged about 36 years, S/o Mahavir Dubey, resident of village- Harsari, Ward No.12, P.S. Shikarpur, District, West Champaran. Petitioner/s
Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Ranjan Dixit, Advocate
For the Opposite Party/s : Mr.Tapeshwar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 25-07-2023 1. Heard learned counsel for the petitioner and the learned APP for the State.

2. Petitioner seeks regular bail in connection with Shikarpur P.S. Case No. 239 of 2023 dated 01.04.2023 registered for the offence(s) punishable under Section(s) 386/387/120(B) of the Indian Penal Code.

3. The main submissions advanced by the learned counsel for the petitioner are that the alleged occurrence of making extortion demand was committed on 28.02.2023 by throwing a letter containing the extortion demand and thereafter on 28.03.2023 the accused persons made extortion demand by using mobile phone but petitioner is not named in the FIR and he has been dragged in this case merely on account of a letter having been found in his possession containing the extortion demand and the letter is stated to have been recovered on



01.04.2023 but in this regard no expert's opinion was taken and petitioner has no connection with the mobile number which was used by the accused persons in making the extortion demand and he has fair and clean antecedent. Further submissions are that against the petitioner, the investigation has been completed and the alleged offences punishable under Sections 386 and 387 of IPC are triable by the court of Magistrate and there is no allegation of delivering money by the informant in response to the extortion demand.

4. Learned APP appearing for the State has opposed the bail prayer.

5. Having regard to the facts and circumstances of the case and considering the above submissions, in my opinion, it is a fit case for bail to the petitioner. Accordingly, let the petitioner named-above be enlarged on bail in connection with Shikarpur P.S. Case No. 239 of 2023 on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned.

(Shailendra Singh, J)

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