

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47216 of 2022

Arising Out of PS. Case No.-9 Year-2020 Thana- BASANTPUR District- Siwan

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DHIRAJ THAKUR S/o Prabhunath Thakur R/o village- Janki Nagar, P.S.-
Basantpur, District- Siwan. In accused column P.S.- Baikunthpur has been
wrongly mentioned in stead of P.S.- Basantpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gajendra Kumar Singh, Advocate

For the Opposite Party/s : Mr. Lakshmi Kant Sharma, APP

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

5 23-02-2023 Let the defect(s), if any, pointed out by the office

be removed within three weeks from the date of this order,

failing which the matter be listed again under the appropriate

heading for necessary action.

Heard learned counsel for the petitioner and the

learned APP for the State.

Petitioner seeks regular bail in connection with

Basantpur P.S. Case No.9 of 2020 registered for the offences

punishable under Sections 323, 387, 504 and 506 of the Indian

Penal Code.

As per the prosecution, the informant alleged that this

petitioner demanded extortion money of Rs.10,00,000/- and

upon non-fulfillment of the said demand threatened to kill the

informant.



The main submissions advanced by the learned counsel Mr. Gajendra Kumar Singh for the petitioner are that the FIR was lodged after the delay of four days while the police station concerned is situated very close to the informant's school and as per the allegations of the FIR the alleged extortion demand was made orally by this petitioner and there is no material to suggest that the petitioner put the informant in fear by showing any weapon or any other materials and the alleged offence of Section 387 of IPC is triable by First Class Magistrate and the petitioner has been languishing in jail since 28.01.2022 and against him there is criminal antecedent of one case in which he is on bail. Further submission is that the investigation has been completed and the charges have been framed against the petitioner.

Learned APP Mr. Lakshmi Kant Sharma appearing for the State has opposed the bail prayer.

In view of the facts, as stated above, and mainly considering the petitioner's custody period and stage of his trial, in the opinion of this Court a lenient approach can be taken in respect of the petitioner's prayer, let the petitioner be released 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 Basantpur P.S. Case
No.9 of 2020.

(Shailendra Singh, J)

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