

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60600 of 2023

Arising Out of PS. Case No.-9 Year-2019 Thana- SAHARSA SADAR District- Saharsa

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MUKESH PATHAK son of Late Lalan Pathak Village- Maruawad Ps- Mehasi
Dist-E. Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Prem Sheela Pandey

For the Opposite Party/s : Mr.Ashok Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 12-09-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 384, 386, 387, 120(B) of the Indian Penal Code.

3. As per prosecution case, the petitioner along with others are alleged to have demanded 80 lakh as extortion from the informant and threatened him to dire consequences. The alleged demand was made by the petitioner inside the jail.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case on the basis of suspicion. There is no question of demand of extortion made by the petitioner while he was incarcerated in jail. The demand of



extortion has not been executed. Other co-accused of this case have already been granted bail from different co-ordinate benches which is mentioned in para 10 of the petition. The petitioner is remanded in this case from Darbhanga P.S. Case No. 270 of 2015 on 10.2.2023 and since then, he is languishing in judicial custody.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Saharsa Sadar P.S. Case No. 9 of 2019 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Saharsa.

(Sunil Kumar Panwar, J)

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