

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70321 of 2022

Arising Out of PS. Case No.-206 Year-2022 Thana- SURYAGARHA District- Lakhisarai

Sumsum Kumar S/O Dilip Thakur Resident of Village- Kasim bazar, near
Durga Asthan, Nai Tola, P.S.- Kasim Bazar, District- Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tarkeshwar Pd. Verma, Advocate

For the Opposite Party/s : Mr. Dilip Kumar No. 1, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 03-05-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioner is permitted to
remove the defect(s), as pointed out by the office, if any, within
a period of four weeks from today.

Petitioner seeks bail who is in custody since
14.07.2022 in connection with Suryagarha P.S. Case No. 206 of
2022, F.I.R. dated 08.07.2022 for the offences punishable under
Sections 387 and 506 of the Indian Penal Code.

According to prosecution case, the informant runs a
jewellery shop and he received three calls from an unknown
mobile number bearing no. 9570401087 demanding Rs. 20 lakh
as extortion and also threatened him for dire consequences.

Learned counsel for the petitioner submits that



petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner is not the owner of the sim card bearing mobile no. 9570401807. He further submits that it has come during investigation that the said sim card belongs to one Sandeep Kumar Choudhary and the petitioner has no role at all in the present occurrence. He further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 14.07.2022.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

Considering the aforesaid facts and circumstances, let the petitioner, above named, 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 learned Judicial Magistrate, 1st Class, Lakhisarai in connection with Suryagarha P.S. Case No. 206 of 2022, subject to the following conditions:-

1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two



consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

3. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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