

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74097 of 2022

Arising Out of PS. Case No.-975 Year-2022 Thana- PHULWARISHARIF District- Patna

Aftab Mallik S/O Md. Mahtab @ Md. Mahtab Alam @ Mahatab Mallik R/o
mohalla- Karabala, P.S.- Phulwarisharif, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Mishra, Advocate

For the Opposite Party/s : Mr.Yogendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 21-03-2023 Heard learned counsel appearing on behalf of the
petitioner and learned APP appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Phulwari
Sharif P.S. Case No. 975 of 2022 registered for the offence
under Sections 342, 384, 386 and 34 of the Indian Penal Code.

The accused/petitioner is named in the F.I.R. and is in
custody since 13.09.2022.

The allegation against the petitioner is to raise a
demand for Rs. 20,000,00/- as an extortion money against on-
going consutruction work of the informant.

Learned counsel appearing on behalf of the petitioner



submitted that the present false case was lodged due to certain transactions dispute between informant and petitioner which arises out of selling a plot where petitioner received Rs. 30,000,00/-, which to be divided equally between informant and petitioner. It is submitted that no actual transactions in furtherance of extortion was ever made to petitioner, as same is appearing admitted as per narration of the FIR. While concluding the argument, it is submitted that petitioner found involved in five (5) more cases, where he is on bail and, moreover, investigation of this case is complete, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP opposes the prayer of bail.

In view of the facts and circumstances as mentioned above, as no transactions of money appears to be made in terms of allegation as raised through FIR, where petitioner is in custody since 13.09.2022 coupled with the fact that charge-sheet has already submitted, let the petitioner, above named, is directed to be released on bail in connection with Phulwari Sharif P.S. Case No. 975 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief



Judicial Magistrate-XIV, Patna/concerned Court, subject to the
conditions as laid down u/s 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

R.S.Sen/-

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