

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10300 of 2024

Arising Out of PS. Case No.-5 Year-2021 Thana- AMAS District- Gaya

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Hamid Khan @ Shamshad Mian @ Shahjad Khan Son of Mohammad Rashid Khan Resident of Village- Sahdeo Khap, P.S. Magadh University, District- Gaya

... .. 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. Nityanand, APP

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CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 21-02-2024 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Amas P.S. case No. 05 of 2021, instituted for the offences under Sections 342, 386/34 of the Indian Penal Code.

3. Prosecution case, in short, is that three miscreants including this petitioner intercepted the vehicle of the informant in which brother and one relative of the informant, Manoj Singh were also sitting. The accused persons threatened and demanded Rs. 10,000/- as extortion. In the meantime, police arrived and all the accused persons fled away.

4. Learned counsel for the petitioner submitted that the petitioner is innocent and has falsely been implicated in the



present case. Nothing has been recovered from the conscious possession of the petitioner. Petitioner never demanded any extortion money from the informant and Section 386 is not made out against the petitioner. It has been submitted on behalf of the petitioner that the petitioner is in custody since 25.09.2023 and has two criminal antecedents.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Amas P.S. case No. 05 of 2021.

(Rudra Prakash Mishra, J)

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