

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23251 of 2024

Arising Out of PS. Case No.-260 Year-2023 Thana- BENIPATTI District- Madhubani

Kamlu Kumar Sharma @ Kamlu Sharma Son Of Jivachh Sharma @ Jivachh Thakur Resident Of Village - Parsauni, Ward No.8, Police Station - Bisfi (Patuna O.P.), District - Madhubani

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Jha, Adv.

For the Opposite Party/s : Mrs. Sharda Kumari, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

4 21-08-2024 Heard learned counsel for the petitioner and learned A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Benipatti P.S. Case No. 260 of 2023 dated 13.11.2023 registered for the offences punishable u/s 341, 342, 323, 504, 506, 384, 386, 379 and 34 of the Indian Penal Code.

3. As per the prosecution case, on 12.11.2023 at about 11:30 A.M. the informant was going to Shivnagar on his uncle's motorcycle. In the meantime, the petitioner and the co-accused persons asked to stop the motorcycle and demanded Rs. 30,000/- as extortion money from the informant. On being refused by the informant, the accused persons took the



informant's motorcycle and the co-accused made the informant sit on his motorcycle and took to Purandahi Gachhi and demanded the extortion money on the point of knife. Further, the informant called his uncle and told him to deposit Rs. 10,000/- in the account of Md. Rehab after which the accused persons kept the informant's motorcycle and left him saying that they would give motorcycle to him if Rs. 20,000/- would be paid.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There is no specific allegation levelled against the petitioner. Nothing has been recovered from the conscious possession of the petitioner. The co-accused person has already been granted regular bail by this court vide order dated 14.08.2024 passed in Cr. Misc. No. 51295 of 2024. The petitioner has two criminal antecedents as stated in para 3 of the bail petition. The petitioner is in custody since 14.11.2023.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case and the nature of allegation levelled against the petitioner as well as the period of custody, the petitioner above-



named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Benipatti, Madhubani in connection with Benipatti P.S. Case No. 260 of 2023.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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