

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24753 of 2024**

Arising Out of PS. Case No.-658 Year-2023 Thana- LAHERIMUHALLA District- Nalanda

Avinash Kumar @ Abhishek Kumar @ Chhotu son of Jinnu Chaudhary
Village- Chhoti badalpura Ps- Khagaul Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ghanshyam Tiwary, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 09-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Laheri
P.S. case No. 658 of 2023 instituted for the offences under
Section 385 of the Indian Penal Code.

3. Prosecution case, in short, is that the user of the
mobile No. 9162970814 demanded extortion money from the
informant. It is also alleged that the accused person also sent
photograph of pistol, cartridge and a car on Whatsapp to
threaten the informant.



4. Learned counsel for the petitioner submitted that the petitioner is innocent and has falsely been implicated in the present case on suspicion. Petitioner is not named in the FIR. Police arrested the petitioner only on suspicion. Petitioner has got no concern with the said mobile number which was used in the alleged occurrence. Learned counsel further submitted that FIR has been registered under Section 385 of the Indian Penal Code which is bailable whereas the charge-sheet has been submitted under Section 385, 387, 467, 468, 471 of the Indian Penal Code. He further submitted that petitioner never demanded any extortion. No incriminating article has been recovered from the conscious possession of the petitioner. It has been submitted on behalf of the petitioner that the petitioner is in custody since 08.11.2023 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, charge-sheet already being submitted as also 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 Laheri P.S. case No.
658 of 2023.

(Rudra Prakash Mishra, J)

Alok Verma/-

U		T	
---	--	---	--

