

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53097 of 2024

Arising Out of PS. Case No.-125 Year-2024 Thana- SIKARPUR District- West Champaran

Anuj Choubey @ Anuj Kumar Chaubey, S/o Anand Chaubey, Resident of
Village -Roari, P.S. - Shikarpur, Distt. - West Champaran

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Murari Sharan Tiwari, Adv.

For the Opposite Party/s : Mr. Bharat Lal, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 06-08-2024 Heard learned counsel for the petitioner and the
learned APP for the State.

2. Petitioner seeks regular bail in connection with Shikarpur P.S. Case No. 125 of 2024 dated 22.02.2024 registered for the offence punishable under Section 387 of the Indian Penal Code (in short 'IPC') and later on, Sections 420 and 120B of IPC were added vide order dated 26.02.2024.

3. Mr. Murari Sharan Tiwari, learned counsel for the petitioner submits that the FIR was registered against unknown and during investigation, the name of this petitioner surfaced on the basis of confessional statement of co-accused namely Samir Alam and the instant matter relates to only making of extortion demand but there is no allegation of fulfillment of the said demand by the victim and the alleged offence of Section 387 of



IPC, which mainly gets attracted in this case, is triable by the First Class Judicial Magistrate and the petitioner has been languishing in jail since 26.02.2024 and against him, the investigation has been completed. Learned counsel further submits that though against the petitioner there are criminal antecedents of four cases but he is on bail in all the said cases.

4. Mr. Bharat Lal, learned APP appearing for the State has opposed the bail prayer.

5. Having regard to the above submissions and mainly considering the facts that there is no allegation of delivery of the money which was allegedly demanded by the accused by using particular mobile number and as per the order impugned, the petitioner has been made accused mainly on the basis of purchase of SIM in his name and the petitioner has been languishing in jail for more than five months and against him, the investigation has been completed and he is on bail in all the cases of his criminal antecedents and also, the alleged offence is triable by the First Class Judicial Magistrate, in my opinion, in the said circumstances, the petitioner deserves to the privilege of bail. Accordingly, let the petitioner named-above 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



concerned Court in connection with Shikarpur P.S. Case No.
125 of 2024.

(Shailendra Singh, J)

Rajiv/-

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