

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57290 of 2024

Arising Out of PS. Case No.-153 Year-2024 Thana- NAGAR District- Vaishali

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Nishu Kumar Son of Arun Paswan @ Arun Kumar Paswan Village-
Rambhadra Ps -Hajipur Town District -Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms.Bela Singh, Adv.

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

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

ORAL ORDER

2 09-08-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Hajipur
Town P.S. Case No. 153 of 2024 instituted for the offences
under Section 387 of the Indian Penal Code.

3. As per prosecution case, an unknown miscreant
demanded extortion money of Rs. 50,00,000/- from the
Informant over mobile phone and threatened him of dire
consequences if he did not pay the said amount.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged
against him and has falsely been implicated in the present case.
The petitioner is not named in the F.I.R. and his name has



surfaced in this case in course of investigation on the basis of confessional statement of the co-accused Abhishek Kumar given in Hajipur Town P.S. Case No. 159 of 2024 before the police. Except confessional statement, there is nothing against the petitioner. Except one mobile phone, nothing incriminating has been recovered from the possession of the petitioner. The petitioner has no concern with the SIM card which was used in the alleged occurrence. There is no direct or specific allegation of any overt act against the petitioner rather the same is general and omnibus in nature. The petitioner has no criminal antecedent and is languishing in judicial custody since 12.03.2024 without any rhymes or reason.

5. Learned counsel for the petitioner again submits that the co-accused namely Raja Rai has been granted bail by this Court vide order dated 20.05.2024 passed in Cr. Misc. No. 36115 of 2024.

6. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner and the petitioner having no criminal antecedent, let the



petitioner, abovenamed, 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 Hajipur Town P.S. Case No. 153 of 2024.

(Rudra Prakash Mishra, J)

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