

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39767 of 2025

Arising Out of PS. Case No.-156 Year-2024 Thana- KHAJEKALA District- Patna

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1. Md. Chand Sutar @ Md. Aftab @ Chand Miya S/O Lat Hafij R/O Mahendru, P.s.- Sultanganj, Dist.- Patna.
 2. Abhishek Kumar Verma @ Abhishek Mehata @ Baudha S/O Shivnath Prasad R/O Choti Pahari, New Bypass Road, Near Nahar, P.s.- Agamkuan, Dist.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun Kumar Tiwari, Advocate
For the Opposite Party/s : Mr. Nand Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

4 03-09-2025 Heard learned counsel for the petitioners and learned APP for the State. Perused the case diary.

2. The petitioners seek bail in connection with Khajekalan P.S. Case No. 156 of 2024 instituted for the offences under Sections 386, 387 of the Indian Penal Code.

3. Prosecution case, in short, is that Chand Miya, petitioner no. 1 herein, demanded extortion amount of Rs. 10 lakhs from the informant on a phone call and also threatened him of dire consequences in case of non-payment of the said amount.

4. Learned counsel for the petitioners submitted that the petitioners have falsely been implicated in the present case.



Learned counsel further submitted that petitioner no. 1 is named in the FIR, however, petitioner no. 2 is not named in the FIR. The name of the petitioner no.2 transpired in this case during investigation. No incriminating article has been recovered from the conscious possession of the petitioners. Learned counsel further submitted that petitioners have no concern with the looted articles. Learned counsel further submitted that the mobile number from which the extortion was demanded does not belong to the petitioner, rather the same is registered in the name of one Jitendra Prasad Keshari. It has been submitted on behalf of the petitioners that the petitioners are in custody since 07.12.2024. Petitioner no. 1 has seven criminal antecedent whereas petitioner no. 2 has nine criminal antecedents.

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

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

7. Let the petitioners be released on bail, *after framing of charge, if not already framed*, on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) each with two sureties of the like amount each to the satisfaction of Court



below/concerned Court in connection with Khajekalan P.S.
Case No. 156 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of
the family of the petitioners.

(II) The petitioners shall appear on each and every
date fixed at the trial. In case of default in such appearance on
two consecutive dates, the Trial Court will have liberty to cancel
the bail bonds of the petitioners.

(III) If the petitioners tamper with the evidence or the
witnesses, in that case, the prosecution will be at liberty to move
for cancellation of bail.

(IV) Petitioners shall not leave the territorial
jurisdiction of the learned court below without taking prior
permission of the court concerned.

(V) If the petitioners are found involved in the similar
nature of offence in future, the prosecution will be at liberty to
move for cancellation of bail.

(Rudra Prakash Mishra, J)

Alok Verma/-

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