

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54971 of 2025

Arising Out of PS. Case No.-274 Year-2024 Thana- RAMNAGAR District- West Champaran

Anil Kushwaha S/o Rajeshwar Kushwaha R/o Village - Dhum Nagar Lali
Gadahi, Ward no. 06, P.S - Shikarpur, District - West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kr Singh No. 1, Advocate

For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA

ORAL ORDER

2 22-08-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 385 and 387 of the Indian Penal Code.

3. The case of prosecution is that the informant was being called by an unknown person from his mobile phone and demand of Rs. 10 Lakhs as extortion was also being made with a further threatening to kill him and his family members, in case of non fulfillment of the demand of extortion.

4. Learned counsel for the petitioner submits that it would be evident from the FIR that the allegation is against the holder of a particular mobile from which the extortion call was made. It is further submitted that during investigation three persons were arrested with country made pistol and cartridges in Ram Nagar P.S. Case No. 281 of 2024 and from the confessional



statement made by those co-accused persons, the present petitioner also came to be made accused in the present case. It is submitted that as a matter of fact, the petitioner is engaged in running a mobile shop and he is a registered agent of Vodafone and Idea Company and this fact has been stated in paragraph no. 10 of the bail petition. The bail rejection order of the learned court below itself indicates that as per paragraph no. 20 of the case diary, allegation upon the petitioner is that he has supplied SIM Card to co-accused Sanni Tiwari @ Ashish Tiwari without proper verification of the documents and the said SIM Card was used for demand of extortion from the informant. In such circumstance, the learned counsel for the petitioner has submitted that petitioner has no role in the demand of extortion.

5. Learned APP, however, opposes the grant of anticipatory bail on the ground that petitioner has got two criminal antecedents which are of similar nature. In response to the same, it has been submitted that the petitioner is on bail in both the cases and it is due to the fact that the SIM Card supplied by him has been used in other cases of extortion, he has been made accused in those cases also.

6. Considering the facts and circumstances of the case and also considering that there is no direction allegation of demand of extortion on the petitioner but for name surfacing in the



confessional statement of co-accused persons, let the petitioner, above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with **Ram Nagar P.S. Case No. 274 of 2025** on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of the B.N.S.S, 2023, along with following conditions:-

- (i) The petitioner shall cooperate in the investigation/trial.
- (ii) One of the bailors will be a family member/close relative.
- (iii) The court below shall verify the criminal antecedent of the petitioner which would be done expeditiously preferably within a period of two weeks without causing any delay.

(Soni Shrivastava, J)

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