

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88989 of 2024

Arising Out of PS. Case No.-327 Year-2024 Thana- BELDOUR District- Khagaria

Bilash Sharma S/o Late Sito Sharma R/o Vill - Beldaur, P.S. - Beldaur, Distt.-
Khagaria.

... .. Petitioner/s
Versus
The State of Bihar

... .. Opposite Party/s

Appearance :
For the Petitioner/s : Mr. Pankaj Kumar, Adv.
For the Opposite Party/s : Mr. Pramod Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 08-01-2025 Heard learned counsel for the petitioner and learned
APP for the State.

02. In the present case, the petitioner seeks bail in connection with Beldaur P.S. Case No. 327 of 2024 registered for the alleged offences under Sections 331(4), 126(2), 308(2), 308(3), 351(2), 351(3), 61(2)/3(5) of Bharatiya Nyaya Sanhita, 2023.

03. As per prosecution case, petitioner demanded extortion money of Rs. 10,00,000/- from the informant and her husband on behalf of co-accused, Mithun Ram Pahalwan. The informant and her husband were also threatened and the audio clip of threat extended by the co-accused was played before the informant. Further demand was made by the petitioner of an amount of Rs. 2,00,000/- and the informant was threatened with



life.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The prosecution story is not believable as it appears from the FIR that the informant has orchestrated the whole story in order to get Arms Licence from the District Administration. The FIR has been lodged after delay of three days but there is no satisfactory explanation for the same. There is no delivery of the extortion amount to any accused persons and no case is made out under Sections 331(4), 126(2), 308(2), 308(3), 351(2), 351(3), 61(2) and 3(5) of BNS. The petitioner is in custody since 03.09.2024 and charge-sheet has been submitted. The petitioner is having antecedent of one case in which he is on bail.

05. Learned APP for the State opposes the prayer for bail.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the improbable nature of allegation against the petitioner and further considering the period of custody of the petitioner along with submission of charge-sheet, the petitioner above named is directed to 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 learned Judicial Magistrate-1st Class, Khagaria/court concerned in connection with Beldaur P.S. Case No. 327 of 2024 (G.R. No. 2820 of 2024), subject to the conditions mentioned in Section 437(3) of the Cr.P.C. and the following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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