

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89965 of 2024

Arising Out of PS. Case No.-207 Year-2024 Thana- LALGANJ District- Vaishali

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Hunny @ Bhola Son of Madan Lal Res of Mohalla - Prem Nagar Road Baljit
Nagar, PS- Patel Nagar, Distt. - Central Delhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajesh Kumar, Adv.

For the Opposite Party/s : Mr.Damodar Prasad Tiwary, APP

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

3 21-02-2025 Heard Mr. Rajesh Kumar, learned counsel for the

petitioner and Mr. Damodar Prasad Tiwary, learned APP for the

State.

2. Petitioner seeks regular bail in connection with
Lalganj P.S. Case No. 207/ 2024 dated 15.07.2024 registered for
the offence(s) punishable under Section(s) 308(5) and 308(4) of
the BNS.

3. As per the prosecution's story, the informant
received several mobile calls through which unknown callers
firstly threatened him and then made an extortion demand of Rs.
One Crore from him.

4. The main submissions advanced by learned counsel
for the petitioner are that the petitioner has been falsely roped in
this case, though, as per the prosecution's allegation, a mobile



SIM No. 8882824639, which is said to have been recovered from the house of this petitioner, was allegedly used in making the extortion demand but the mobile phone holding said SIM was not recovered from the conscious possession of this petitioner and further, after the petitioner's arrest the concerned police did not take him on transit remand from the jurisdictional Judicial Magistrate and he was brought in custody by the I.O. straight-away in Bihar State and petitioner's statement was recorded in police custody under pressure but except this there is no material against him. It is further submitted that in this matter, as per the allegation, extortion demand of money was made by using several mobile numbers but there is no allegation of the delivery of demanded money and several accused persons have been granted bail. It is lastly submitted that the petitioner has been languishing in jail since 22.07.2024.

5. Learned APP appearing for the State has opposed the bail prayer of the petitioner.

6. Heard both the sides and perused the FIR and the case diary.

7. The instant matter relates to extortion demand allegedly made by using several mobile numbers, details of which have been given in the FIR itself by the informant, and as



per paragraph 34 of the case diary, one of the mobile SIMs which was allegedly used in making extortion demand was recovered from the house of this petitioner being used in a mobile phone and it appears from the case diary that several accused persons were involved in the alleged crime which was being committed in an organized manner and the investigation is still pending on some important points.

8. Considering the aforesaid incriminating evidence as well as stage of case, this court is not inclined to release the petitioner on bail at this stage. Accordingly, his prayer for bail stands rejected.

9. The petitioner may renew his bail prayer after framing of the charge.

(Shailendra Singh, J)

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