

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58 of 2025

Arising Out of PS. Case No.-24 Year-2024 Thana- BHELDI District- Saran

Abhishek Kumar Son of Sri Ram Singh Resident of village- Ramchaura, P.S.-
Ishuapuur, Distt,- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dewanand Tiwari, Advocate

For the Opposite Party/s : Mr.Zainul Abedin, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA

ORAL ORDER

3 09-04-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. In the present case, the petitioner seeks bail in connection with Bheldi P.S. Case No. 24 of 2024, registered for the offences under Sections 384 & 386 of the Indian Penal Code.

3. As per the prosecution case, the informant received call on his mobile phone and demand of Rs.10 lakh was made. The caller threatened the informant with abduction of his school going son and also threatened the informant that he would be shot dead while on morning walk. The name of the petitioner transpired during investigation as holder of the SIM card from which the extortion call was made.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and has been



falsely implicated in this case. Petitioner did not make the call to the mobile phone of the informant. On the alleged date and time, one unknown person asked for mobile phone of the petitioner to make some urgent call and the petitioner handed this person the mobile phone but the petitioner was not aware of the objectionable call made from his mobile. The informant is not known to the petitioner and it is not believable that a person would make extortion demand from his own mobile phone. Even if allegation is taken to be true, only an extortion demand was made and no money was paid to the petitioner. From the facts of the case, the story of the prosecution does not appear to be believable against the petitioner who is in custody since 06.11.2024 and charge sheet has been submitted. Petitioner is having antecedent of one case and he is on bail in this case.

5. Learned A.P.P. appearing for the State opposes the submission made on behalf of the petitioner. Learned A.P.P. submits that extortion call was made from the number of the petitioner and when the mobile phone of the petitioner was demanded by the police during investigation, he very conveniently said that the mobile phone was lost.

6. Having regard to the fact and circumstances and submission made on behalf of the parties and considering the



submission of charge sheet and period of custody of the petitioner, the petitioner is directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-XI, Saran at Chapra/concerned court, in connection with Bheldi P.S. Case No. 24 of 2024, subject to the condition laid down under Section 480(3) of the B.N.S.S. and other 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, if so required by the learned trial court.

(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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