

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6067 of 2025

Arising Out of PS. Case No.-239 Year-2022 Thana- KHAGARIA District- Khagaria

Sujay Kumar @ Sujay Singh @ Fighter, S/o Late Arjun Singh, R/o Village-
Bhadas South, P.S.- Muffasil, District - Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar Singh, Advocate

For the Opposite Party/s : Dr. (Mrs.) Indihar Kumari, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 14-05-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Khagaria (Muffasil) P.S. Case No. 239 of 2022 for the offences punishable under Sections 385, 387, 504, 506 of the Indian Penal Code.

3. As per prosecution case, the informant received a call on his mobile phone and the caller demanded Rs. 12 lacs as extortion amount from the informant. During investigation, the name of the petitioner transpired as the person who demanded the extortion.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. There is no involvement of the petitioner in the alleged



occurrence. The police seized the offending mobile phone from one Puja Devi and on disclosure of this co-accused, the petitioner was apprehended since the co-accused alleged that this petitioner put a SIM in her mobile and made the call. The learned counsel further submits that except for confessional statement of co-accused Puja Devi, there is no material against this petitioner and nothing incriminating has been recovered from the person/possession of the petitioner. The learned counsel further submits that no money was paid to any person and none of the offences under Sections 385 and 387 IPC are made out. The learned counsel further submits that even the FIR is belated as for an occurrence of 18.03.2022, the FIR has been lodged on 21.03.2022, i.e., after lapse of three days, but no satisfactory explanation has been given for the delay. The learned counsel further submits that the petitioner is having criminal antecedent of seven cases and he is on bail in all these cases. The petitioner is in custody since 11.03.2024 and charge sheet has been submitted.

5. Learned APP vehemently opposes the submission made on behalf of the petitioner. The learned APP submits that the petitioner used his SIM in the mobile phone of co-accused for making extortion demand.



6. Having regard to the facts and circumstances of the case and submissions made on behalf of the parties and considering the period of custody of the petitioner and submission of charge sheet, the petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Khagaria, in connection with Khagaria (Muffasil) P.S. Case No. 239 of 2022, subject to the conditions mentioned in Section 480 (3) of BNSS and also 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 bonds of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

V.K.Pandey/-

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