

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14564 of 2015

Arising Out of PS.Case No. -101 Year- 2014 Thana -KURTHA District- JEHANABAD

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1. Dharmendra Kumar S/o Late Anil Yadav
2. Abhay Singh S/o Pradip Singh
3. Shiv Kumar Singh @ Shiv Kumar S/o Ram Ishwar Singh

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Kumar, Advocate
For the Opposite Party/s : Mr. R.P.S Singh (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 11-05-2015 Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 386/387/34 of the Indian Penal Code and 27 of the Arms Act.

It is alleged that the informant being a contractor was constructing the road under the Pradhan Mantri Sadak Yojana from Mirjapur to Dakara when the accused persons came with deadly weapons demanded extortion and directed not to start work, they also resorted fire but none received any injury and two lakhs extortion was directed to be paid within five days otherwise it was threatened to put the JCB machine on fire.

It is submitted by learned counsel for the petitioners

that even assuming the accusation admittedly no payment was made, hence, no case under section 386 is made out even assuming the accusation true. The dispute with regard to construction of road on the 'raiya' land of the petitioners for which the complaint was made against the alleged contractor. A statement has been made in paragraph 3 of the petition that the petitioners have no criminal antecedent.

Considering the aforesaid facts, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Jehanabad in connection with Kurtha P.S. Case No. 101 of 2014, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Ashwini/-

(Dinesh Kumar Singh, J)

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