

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1466 of 2015

Arising Out of PS.Case No. -598 Year- 2014 Thana -ARA NAWADA District- BHOJPUR

Prashant Kumar Singh @ Prasant Kumar Singh

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Makardhwaj Upadhyay

For the Opposite Party/s : Mr. Ashok Kr.Singh 1(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 14-01-2015

Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 341, 323, 506, 384, 379, 452 and 427/34 of the Indian Penal Code.

It is alleged that the petitioner along with another person entered into the residence of the informant and threatened to kill for debarring his father from getting contract. In the meantime the accomplice of the petitioner took out Rs. 2,200/- from the pocket of the informant.

It is submitted by learned Senior Counsel for the petitioner that for the occurrence of 19.12.2014 at 9 PM, the FIR was lodged on 20.12.2014 at 10.30 AM when the police station is just one kilometer away from the place of occurrence. The informant instead of informing police first called a contractor.

Moreover, a complaint was filed by the father of the petitioner against the informant and even assuming the accusation, no offence under Section 384 IPC is made out against the petitioner as the said accusation is against co-accused. A statement has been made in para 3 of the petition that the petitioner has no criminal antecedent.

Considering the delayed lodging of the FIR, petitioner having no criminal antecedent and the case lodged against the informant by the petitioner's side, let the above named petitioner 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) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Bhojpur at Ara in connection with Ara Nawada P.S. Case No. 598 of 2014, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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