

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.42400 of 2014

Arising Out of PS.Case No. -78 Year- 2008 Thana -MANIHARI District- KATIHAR

Bijay Tiwari S/o Late Barmeshwar Tiwari, R/o-Vill.-Muzwar Tal, P.S.-
Manihari, District-Katihar Petitioner

Versus

The State of Bihar Opposite Party

Appearance :

For the Petitioner : Mr. Sanjeev Kumar Singh, Advocate

For the Opposite Party : Mr. Tarun Pd.Mandal, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

2 04-03-2015 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner apprehends his arrest in connection
with Manihari P.S. Case No. 78/2008 for offences punishable
under Sections 147, 148, 149, 342, 384, 385, 308, 506, 504 I.P.C.

Allegedly, when the informant went to harvest his
paddy crop they were threatened by the petitioner and by another
co-accused person, ransom was demanded.

Submission is that all the offences are bailable except
offence under Sections 308 and 384 I.P.C., which is not applicable
against the petitioner. There is no specific allegation of
committing assault or demanding extortion. No injury has been
caused on the person of the informant and there is bona fide land
dispute between the informant and co-accused, Sudama Thakur.

However, the case has been compromised between the parties and the petitioner could not appear earlier only due to ailment to which the learned A.P.P. opposes.

Considering that against the petitioner there is no specific allegation and as such the above named, petitioner in case of arrest or surrender within two months from receipt of the copy of the order or production of the same shall be released on bail on execution of bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned court of C.J.M., Katihar in connection with Manihari P.S. Case No.78/2008, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J.)

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