

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36947 of 2015

Arising Out of PS.Case No. -124 Year- 2015 Thana -BIHIYA District- BHOJPUR

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Baban Yadav Son of late Ram Rekha Yadav Resident of village Doghra,
P.S Bihia, District Bhojpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kumar Mritunjay Narain

For the Opposite Party/s : Mr. A.K.Choudhary(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

02/ 11-09-2015

Heard learned counsels for the petitioner

and the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 147, 148, 149, 323, 325, 385, 387, 504, 506, 379 of the Indian Penal Code and 27 of the Arms Act.

The prosecution case is that the informant was dismantling some construction after taking the same on auction from Gammon India Ltd. when the accused persons made protest and asked the informant to vacate the premises. It is alleged that the accused persons demanded extortion of Rs.20,000/- and 100 asbestos sheets and subsequently the accused persons including the petitioner surrounded the informant, co-accused Rakesh Kumar and Madan Yadav on

the point of country made pistol snatched Rs.1,00,000/- and assaulted the informant.

It is submitted by learned counsel for the petitioner that the demolition undertaken by the informant was affecting the land holders adjacent to the construction, hence, they made protest as a result the present case has been lodged. A statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent.

Learned counsel for the informant does not dispute that the accusation is not specific against this petitioner but submits that the accusation is serious in nature.

In view of the above facts and the accusation being not specific, it is a case for consideration of prayer for regular bail, if the petitioner surrenders before the learned court below within a period of six weeks from today in connection with Bihiya P.S. Case No. 124 of 2015 pending in the court of learned Chief Judicial Magistrate, Bhojpur at Ara.

With the aforesaid observation, this application is disposed of.

(Dinesh Kumar Singh, J)

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