

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37843 of 2015

Arising Out of PS.Case No. -85 Year- 2015 Thana -MOTIHARI TOWN District-
EASTCHAMPARAN(MOTIHARI)

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1. Upendra Yadav S/o Sakaldeo Rai Resident of village - Gandhinagar, P.S.
Dumariyaghat, Distt. - East Champaran

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Umeshnand Pandit(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 18-09-2015

Heard learned counsel for the petitioner and the
State.

The petitioner is apprehending his arrest in a
case registered for the offences punishable under Sections
387, 506, 504 of the Indian Penal Code.

Accusation is of hurling abuse on the informant
being a domestic gas dealer and demanding extortion of
rupees fifty lacs.

It is submitted by the learned counsel for the
petitioner that the name of the petitioner sprang up during
investigation. 164 Cr.P.C. statement of the brother of the
petitioner Dharmendra Kumar was recorded, wherein he said
that the mobile of the petitioner was used by the elder brother
Satyendra Singh, who abused the informant for delayed

delivery of the domestic gas cylinder. It is further submitted that even assuming the statement of the Dharmendra Singh, no case under Section 387 is made out against the petitioner. Statement has been made in para-3 of the petition that petitioner has no criminal antecedent.

Considering the aforesaid facts, let the above named petitioner be released on bail in the event of his arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Motihari in connection with Motihari Town P.S. Case No. 85 of 2015, subject to conditions as laid down under Section 438(2) of the Indian Penal Code.

(Dinesh Kumar Singh, J)

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