

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26737 of 2015

Arising Out of PS.Case No. -85 Year- 2015 Thana -BAHADURPUR District- DARBHANGA

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1. Md. Manzar Alam @ Guddu Son of Md. Anwar Ali Petitioner/s

Versus

1. The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Girish Chandra Jha, Advocate

For the Opposite Party/s : Mr. Navin Kumar Pandey(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 22-07-2015 Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 386, 354D, 506 and 34 of the Indian Penal Code.

The prosecution case is that the petitioner on the point of pistol demanded extortion of Rs. Five Lacs when the other accused persons took the signature of the informant on plain paper.

It is submitted by learned counsel for the petitioner that earlier Bahadurpur P.S. Case No.451 of 2012, levelling accusation under sections 354, 406, 507, 386/34 of the of the Indian Penal Code, was lodged in which the informant entered into compromise and, thereafter, the present case has been lodged. Even assuming the accusation, no offence under section 386 IPC is made out.

Moreover, the alleged plain paper in which the informant's signature was obtained has not been used any way.

It is submitted by learned counsel for the informant that there is specific accusation against the petitioner that he used to demand extortion and threatening the informant's family regularly.

Considering the accusation in the background of litigating relationship between the parties and the informant entered into compromise in earlier case, 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 Chief Judicial Magistrate, Darbhanga in connection with Bahadurpur P.S. Case No.85 of 2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Ashwini/-

(Dinesh Kumar Singh, J)

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