

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4007 of 2016

Arising Out of PS.Case No. -135 Year- 2015 Thana -LALGANJ District- VAISHALI(HAJIPUR)

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1. Vikash Thakur @ Raushan Thakur Son of Sri Sheel Nath Thakur
Resident of village - Pojhiyan, P.O. Lalganj, District - Vaishali

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ratanakar Jha

For the Opposite Party/s : Mr. Uday Chand Pd.(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 27-01-2016

Petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 341, 325, 324, 384, 307, 379/34 of the Indian Penal Code and Section 27 of the Arms Act.

The prosecution case is that the petitioner along with others came on motorcycle surrounded the informant and demanded extortion. On refusal to make payment of extortion amount co-accused Babbu Thakur caused fire arm injury on the knee of the informant. Thereafter co-accused Deo Mitra Shukla and Sujeet Kumar Thakur also resorted to fire but it did not cause any injury. It is alleged against Deo Mitra Shukla to have snatched golden chain and Babbu Thakur snatched eight thousand rupees from the pocket of the informant.

It is submitted by learned counsel for the

petitioner that that is no accusation of making assault with fire arm against the petitioner or snatching gold chain or money from the informant when the accusation of demanding extortion is omnibus and general. It is further submitted that though petitioner is accused in two other cases but he is on bail.

Considering the fact that specific overt act of firing and snatching is not against the petitioner, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of 12 weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Lalganj P.S. Case No. 135 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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