

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3930 of 2016

Arising Out of PS.Case No. -208 Year- 2015 Thana -JANDAHA District- VAISHALI(HAJIPUR)

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1. Rupam Kumar, S/o Bharat Bhusan Singh, resident of village- Bhagwanpur (Dhandhua), P.S.- Jandaha, District- Vaishali
 2. Aashutosh Kumar @ Tutu, S/o Rakesh Kumar, resident of village- Matghurapur, p.s- Jandaha, District- Vaishali
 3. Golu Kumar, S/o Nand Kishore Singh, resident of village- Rajajan, P.S.- Mohiuddin Nagar, District- Samastipur

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dharmesh Kumar, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 27-01-2016

Heard learned counsel for the petitioners and the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 447, 341, 323, 504, 506, 387, 379/34 of the Indian Penal Code.

The prosecution case is that the petitioners along with co-accused Kunal Kumar surrounded the informant, when petitioner no. 1, Rupam Kumar demanded Rs. 50,000/- as extortion. On refusal to make payment, petitioner no. 1 Rupam Kumar and petitioner no. 2 Aashutosh Kumar @ Tutu tried to make assault with iron rod, but informant could not receive injury. It is alleged that co-accused Kunal Kumar and petitioner no. 3, Golu Kumar tried to press the neck of the

informant. It is lastly alleged that petitioner no. 1 Rupam Kumar snatched Rs. 2,000/- from the pocket of the informant.

It is submitted by the learned counsel for the petitioners that for a petty dispute accusation has been levelled. There is counter version of the occurrence. For the occurrence of 24.10.2015 at 9.00 A.M. the First Information Report was registered on 25.10.2015 at 4.00 P.M.

Considering the specific accusation against petitioner no. 1, Rupam Kumar, let the learned court below consider the prayer for regular bail of the above named petitioner no. 1, if he surrenders before the learned court below within a period of six weeks from today in connection with Jandaha P.S. Case No. 208 of 2015, pending in the court of learned Additional Chief Judicial Magistrate, Hajipur, Vaishali.

So far as petitioner nos. 2 and 3 are concerned, since accusation of snatching is not against them, ultimately no injury was caused to the informant and coupled with the statement made in para-3 of the petition that petitioner nos. 2 and 3 have no criminal antecedent, let the above named petitioner nos. 2 and 3 be released on bail in the event of their 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) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Hajipur, Vaishali in connection with

Jandaha P.S. Case No. 208 of 2015, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Dinesh Kumar Singh, J)

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