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IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.7625 of 2016

Arising Out of PS.Case No. -462 Year- 2015 Thana -MADHUBANI TOWN District-MADHUBANI

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1. Munindra Jha Son of Brahamder Jha, Resident of Village - Ganga Sagar Chouk, Janta Press Gali, Police Station - Sadar Madhubani, District - Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Jha
For the Opposite Party/s : Mr. M.Haque (App)
For the informant : Mr. Ravi Ranjan
Mr. Nilesh Kumar

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 18-03-2016 Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Madhubani Town Police Station Case No. 462 of 2015, disclosing offences under Sections 341, 323, 307, 379/34 of the Indian Penal Code.

The informant appears to have sought for certain information under the Right to Information Act from the Office of the P.H.E.D., Madhubani.

It is alleged against the petitioner that he assaulted the informant with fists and slaps and attempted

to kill him by strangulation.

Learned Counsel for the petitioner has submitted that prior to the institution of the present case, the petitioner had instituted a First Information Report against the informant alleging demand of ransom. He submits that the allegations are palpably false and no grievous injury has been found.

Learned Counsel for the informant has vehemently opposed the prayer for anticipatory bail and has submitted that considering the gravity of offence, the petitioner is not entitled to the privilege of anticipatory bail. He has submitted that there is specific allegation against the petitioner of making an attempt to kill the informant by strangulation.

However, considering the circumstance in which the present First Information Report has been instituted and the fact that the petitioner has no criminal antecedent, this application is allowed.

Let the petitioner, Munindra Jha, in the event of his arrest or surrender before the Court below within six weeks, be released on 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, Madhubani, in connection with Madhubani Town

Police Station Case No. 462 of 2015, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bond shall be liable to be cancelled.

(Chakradhari Sharan Singh, J.)

Prabhakar Anand/-

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