

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.6914 of 2016

Arising Out of PS.Case No. -99 Year- 2015 Thana -PAKRIDAYAL District-
EASTCHAMPARAN(MOTIHARI)

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1. Shailesh Kumar @ Pappu Singh S/O- Late Shivawatar Singh, resident of Tola Bhagwanpur, Village- Nawada, P.S.- Pakridayal, District- East Champaran.

2. Deepak Singh, S/O- Ganesh Singh, resident of Sripur Nawada, P.S.- Pakridayal, District- East Champaran.

3. Ashok Kumar Singh @ Ashok Singh S/O- Mahesh Singh, resident of Sripur Nawada, P.S.- Pakridayal, District- East Champaran..... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raghwanand

For the Opposite Party/s : Mr. Parmeshwar Mehta (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 16-02-2016

Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Section 341, 323, 324, 353, 379, 386, 427, 504/34 of the Indian Penal Code.

The prosecution case is that on 17.07.2015 the informant, being a contractor, was taking care of on-going road work when the petitioners came with fire arm, abused the informant, assaulted the driver of the tractor, took away the tractor on the gun point, demanded Rs. five lacs and damaged bitumen worth Rs. 50,000/-.

It is submitted by the learned counsel for the petitioners that petitioners are petty contractors under the informant and there was contractual dispute for which the



petitioners' side lodged Pakridayal P.S. case No. 98 of 2015 against the informant leveling the accusation under section 406 of the IPC and thereafter the present case has been lodged as retaliatory measure. There are documents on record to suggest that petitioners were working as petty contractors under the informant and this fact has been admitted by the informant which gets reflected from the order passed in Cr. Misc. No. 3055 of 2016 whereby the informant has been granted bail in the case lodged by the petitioners' side. Statement has been in paragraph 3 of the petition that except one case lodged at the behest of informant, the petitioners have no criminal antecedent.

Considering the aforesaid facts, let the above named petitioners be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned ACJM-5th, Motihari in connection with Pakridayal P.S. Case No. 99/2015 subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

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