

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10802 of 2016

Arising Out of PS.Case No. -599 Year- 2014 Thana -BHABHUA District- BHABHUA (KAIMUR)

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Madar Jarnail Shah @ Madar Jarnai Shah, Son of Hashim Shah Resident of
village - Mokari, Police Station - Bhabua, District - Kaimur

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Rajesh Kumar Pathak, Advocate.

For the Opposite Party : Mr. R.S. Choudhary, (App).

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 15-03-2016

Heard learned counsel for the petitioner the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 384, 386 and 34 of the Indian Penal Code.

The prosecution case is that between 09.11.2014 to 12.11.2014 extortion of Rs. 1,00,000/- was demanded through two mobile phones. The informant had identified the voice of one as Shahnawaj Ansari, co-villager of the informant. It is further alleged that on 26.12.2014 explosive was thrown on the house of the informant in order to put pressure. The FIR was lodged against only Shahnawaj Ansari and two others. Shahnawaj Ansari named the petitioner in his confession.

It is further submitted that the petitioner is on inimical

term with Shahnawaj Ansari. Since a proceeding under Section 107, 116(iii) of the Cr.P.C. was initiated due to dispute between the petitioner's family and Shahnawaj Ansari. Statement has been made in paragraph-3 of the petition that the petitioner has got no criminal antecedent and except the confession of Shahnawaj Ansari no any other material has been collected by the police.

Considering the facts and circumstances, let the petitioner above named 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 bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bhabua in connection with Bhabua P.S. Case No. 599 of 2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

The bail bonds of the petitioner will be accepted on filing affidavit to the effect that he will cooperate in the investigation. Non-cooperation in the investigation will give liberty to the prosecution to file appropriate application for cancellation of bail of the petitioner.

(Dinesh Kumar Singh, J.)

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