

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17801 of 2016

Arising Out of PS.Case No. -32 Year- 2016 Thana -WAJIRGANJ District- GAYA

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BINOD KUSHWAHA @ BINOD PRASAD KUSHWAHA @ UMESH PRASAD @ BINOD PRASAD, son of Geyani Mahto, Resident of village-Tarawana, P.S.- Wazirganj, District- Gaya

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Javed Jafar Khan, Advocate

For the Opposite Party/s : Mr. Upendra Kumar(APP)

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 05-05-2016

Heard learned counsel for the petitioner and learned APP for the State.

Petitioner apprehends arrest in connection with Wazirganj P.S. Case No. 32/16 for offences alleged under Sections 341, 323, 307, 385, 504/34 of the Indian Penal Code.

The prosecution case, as lodged by the informant, is that petitioner along with others came to the informant and started demanding Rs. 2 lakhs for lifting the sand from the river. They tied gamchha in his neck and started abusing and assaulting.

It has been submitted by the learned counsel for the petitioner that he is innocent having committed no offence and has falsely been implicated due to dirty village politics. He further submits that Section 307 I.P.C. is not applicable against him and

that he has no criminal antecedent, as is evident from paragraph 3 of this application. He further submits that the allegations are general and omnibus and the only allegation is of demand of rangdari.

However, learned APP for the State submits that the petitioner is named in the First Information Report, hence, opposes the prayer for bail.

Be that as it may, let petitioner, above named, in the event of his arrest or surrender before the court below within a period of eight weeks from today, 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 1st Class Judicial Magistrate, Gaya, in connection with Wazirganj P.S. Case No. 32/16, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Rajesh/-

(Nilu Agrawal, J.)

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