

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21568 of 2016

Arising Out of PS.Case No. -73 Year- 2016 Thana -MAHUA District- VAISHALI(HAJIPUR)

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Manoj Kumar Singh son of late Ramlagan Singh Resident of village
Bilandpur P.S. Mahua District Vaishali (Hajipur)

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Binay Kumar Singh

For the Opposite Party/s : Mr. Dr.Mrityunjaya Kr.Gautam

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

3 12-07-2016 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Mahua P.S. Case No. 73 of 2016, disclosing offences under Sections 323, 324, 379, 341 and 307/34 of the Indian Penal Code.

The allegation in the F.I.R. is that the accused persons assaulted the informant and snatched from him a sum of Rs.1,20,000/- which he was carrying. The occurrence is of 20.02.2016.

Learned counsel for the petitioner has submitted that prior to lodging of the present F.I.R., the petitioner had lodged a case which was registered as Mahua P.S. Case No. 59 of 2016 on 20.02.2016, in which the informant of the present case is an accused. He accordingly, submits that the petitioner has been

falsely implicated because of the case lodged by him, prior to lodging of the present case. Referring to the First Information Report, he has submitted that there is a false allegation that he pointed his pistol towards the informant. It has been submitted in paragraph-3 of the application that the petitioner has no criminal antecedent.

Considering the above submission, this application is allowed. Let the petitioner, above-named, 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur, in connection with Mahua P.S. Case No. 73 of 2016, 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)

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