

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40765 of 2016

Arising Out of PS.Case No. -102 Year- 2016 Thana -JANKINAGAR District- PURNIA

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Revti Ranjan Azad Son of Ashok Prasad Azad, resident of Village- Haripur
Tinkonma, P.S.- Murliganj, District- Madhepura.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Tarun Prasad Mandal

For the Opposite Party/s : Mr. Sri Pradeep Narain Kumar

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

4 10-11-2016 Heard learned counsel for the petitioner as well as learned
A.P.P.

The petitioner is facing prosecution in connection with
Janki Nagar P.S. Case 102 of 2016 registered for offence under
Sections 341, 504, 506 and 386/34 of the Indian Penal Code as
well as Sections 25(1-b)a, 26 and 35 of the Arms Act.

The allegation is that on the date of occurrence, the
petitioner along with one other co-accused person arrived at the
dawarja of the informant on motorcycle and started abusing him
and demanding money and in case of non-payment of money, the
accused persons threatened the informant to kill him. On hullah,
villagers came at the place of occurrence and both the accused
persons arrested at the spot.

The contention of the petitioner is that some amount was given to the informant by the petitioner with assurance to return the amount within three months, but the informant did not return the amount within three months, hence the present occurrence happens.

It appears that petitioner has also one case for offence under Section 365/34 of Indian Penal to his credit. He is in custody since 07.08.2016.

Learned counsel for the petitioner submits that recovery of fire arms has made by the villagers so arms act cannot be attracted as well as it is also not a case for offence under Section 386 of Indian Penal Code.

Looking to the allegation and other materials reflected from the case records, I am not inclined to grant privilege of bail of the petitioner. Accordingly, the prayer for bail of the petitioner is rejected. However, the petitioner may have liberty to renew his prayer for bail after six months.

(Kishore Kumar Mandal, J)

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