

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28275 of 2016

Arising Out of PS.Case No. -95 Year- 2015 Thana -AMDABAD District- KATIHAR

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1. Md. Mukhtar son of Md. Kasim resident of village Garad Tola, P.S. Amdabad, District - Katihar.
 2. Bablu Jha son of Late Gangadhar Jha resident of village - Kishanpur, P.S. - Amdabad, District - Katihar.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimal Kumar

For the Opposite Party/s : Mr. Sri Yogendra Kumar

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 14-07-2016 Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 341, 447, 323, 384, 379, 504, 506/34 of the Indian Penal Code.

The prosecution case is of demanding extortion and making assault to the informant. It is further alleged that the accused persons took away Rs. 2000 from the shop of the informant.

It is submitted by the learned counsel for the petitioners that the accusation is not specific against the petitioners. None of the shop owners adjacent to the shop of informant have made any complaint for demanding extortion.

Even assuming the accusation no offence under section 384 I.P.C. is made out as the accusation at best constitutes offence under section 385 I.P.C. which is bailable. Statement has been in paragraph 3 of the petition that 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 CJM, Katihar in connection with Amdabad P.S. Case No. 95 of 2015 subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

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