

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32133 of 2016

Arising Out of PS.Case No. -236 Year- 2015 Thana -DHURAIYA District- BANKA

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Pradeep Mandal son of late Parsuram mandal Resident of Village- Assi
Makaita Police Station Dhoraiya District Banka.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Rajib Ranjan Jha

For the Opposite Party : Mr. Sri Pradeep Narain Kumar

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH
ORAL ORDER

2 26-08-2016 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Dhoraiya (Dhankund) Police Station Case No. 236 of 2015, disclosing offences under Sections 341, 323, 324, 307, 379, 34 of the Indian Penal Code and Section 27 of the Arms Act.

The First Information Report has been registered under section 156(3) of the Cr.P.C. on the basis of a complaint case, filed by the informant. Co-accused Shyam Sunder Mandal is said to have demanded extortion to the tune of Rs. 50,000/- at the point of pistol and after the informant paid him an amount of Rs. 5,000/-dissatisfied, the petitioner no.2 is said to have assaulted the informant with *lathi* on his head, causing injury.

Learned Counsel appearing on behalf of the petitioner referred to a copy of the prescription, which is part of the complaint petition, has submitted that the same does not support the case of prosecution, as is made out in the complaint petition. The petitioner has no criminal antecedent, as stated in para-3 of the application, 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/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka, in connection with Dhoraiya (Dhankund) Police Station Case No. 236 of 2015, 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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