

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46528 of 2016

Arising Out of PS.Case No. -154 Year- 1998 Thana -KHAZANIHAT District- PURNIA

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1. Sarfaraz Alam Son of Hazi Taslimuddin resident of Sisouna Police Station-Jokihat, District-Arariya

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arvind Kumar Mouar

For the Opposite Party/s : Mr. Sri Rajendra Singh Shastriji

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2 30-11-2016 Heard both sides.

The petitioner apprehends his arrest in K. Hat P.S.
Case No. 154/98, registered for the offences punishable under
Sections 147, 384, 353, 504 of the Indian Penal Code.

The informant alleged that the petitioner being the
State Minister of the Revenue and Land Reforms Department
called him in the Circuit House and asked him that why he was not
present when he came to the Circuit House. It is further alleged
that the petitioner demanded Rs. 15,000/- for holding conference
and also abused the informant.

Learned counsel for the petitioner submits that the
police after investigation submitted final form finding the case true
under Section 504 of the Indian Penal Code which is non-



cognizable but the learned Chief Judicial Magistrate vide order dated 07.04.2016 took cognizance under Section 384, 353, 504 of the Indian Penal Code against the petitioner. It is further submitted that the petitioner never abused the informant nor ever demanded any money from the informant. The case was lodged only when the informant was asked to discharge his duty in accordance with law.

Considering the nature of allegations made against the petitioner and the fact that the police after investigation submitted final form finding the case true under Section 504 of Indian Penal Code, the petitioner above named in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Purnea in connection with K. Hat P.S. Case No. 154/98, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Jha, J.)

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