

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3867 of 2016

Arising Out of PS.Case No. -91 Year- 2015 Thana -BARHARIA District- SIWAN

- =====
1. Umesh Mishra, Son of Bhupnath Mishra
 2. Santosh Kumar, Son of Kishun Prasad Both resident of Village- Nabiganj, P.S.- Basantpur, District- Siwan.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Pandey

For the Opposite Party/s : Mr. Ashraf Ansari(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 27-01-2016 Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 120B,420,468,384,354B,323 and 380/34 of the Indian Penal Code.

The prosecution case is that co accused Sanjay Mishra demanded extortion of rupees two lacs from the informant. Subsequently, the accused persons came to the house of the informant when petitioner no. 1 Umesh Mishra took away a suitcase of the informant containing jewellery, clothes and other articles. It is also alleged that the co

accused persons got the land of the informant transferred maliciously.

It is submitted by the learned counsel for the petitioners that the specific accusation of demanding extortion is against co accused Sanjay Mishra and in the background of land dispute the accusation has been levelled which has been supported by the witnesses during investigation. There is no detail of the land which was got transferred by the accused persons.

Let the learned court below consider the prayer for regular bail of the petitioner no. 1 in case he surrenders within six weeks from today in connection with Barharia P.S. Case No. 91 of 2015 pending in the court of learned J.M. Siwan.

So far as petitioner no. 2 is concerned, since there is no specific accusation and he has no criminal antecedent as stated in paragraph 3 of the petition, let the above named petitioner no. 2 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 JM, Siwan in

connection with the aforementioned case subject to the conditions as laid down under Section 438(2) Cr.P.C.



Anil/-

(Dinesh Kumar Singh, J)

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