

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9561 of 2016

Arising Out of PS.Case No. -592 Year- 2015 Thana -BANKA District- BANKA

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Baleshwar Yadav, S/o Bechan Yadav, Resident of village – Barmahua,
Police Station – Banka, District – Banka.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee

For the Opposite Party/s : Mr. Surendra Kumar(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

02/ 01-03-2016

Heard learned counsels for the petitioner

and the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 384 and 386/34 of the Indian Penal Code.

The prosecution case is that on 07.09.2015 at 5.00 P.M. six FIR named accused persons including the petitioner demanded rupees five lakhs as extortion from the informant who is a school teacher. Similar demand was made earlier also.

It is submitted by learned counsel for the petitioner that co-accused Ramesh Yadav is agnate of the informant and there was land dispute in between the informant and co-accused Ramesh Yadav. The petitioner has been roped in

the present case since he happens to be brother-in-law of co-accused and for the occurrence of 07.09.2015 the FIR was lodged on 19.09.2015. A statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent. Moreover, even assuming the accusation no case under Sections 384 or 386 IPC is made out.

Considering the delayed lodging of the case, let the above named petitioner 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 bonds 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 Banka P.S. Case No. 592 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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