

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15080 of 2016

Arising Out of PS.Case No. -155 Year- 2015 Thana -JALE District- DARBHANGA

- =====
1. Manoj Kumar Mishra, Son of Late Sumantra Mishra @ Satyanarayan Mishra
 2. Kumar Bhushan @ Phool Babu Son of Bipin Kumar Mishra @ Bipin Kumar Both are resident of Village- Muraitha, Police Station- Jalley, District- Darbhanga.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioners : Mr. Prabhakar Jha, Advocate.

For the Opposite Party : Mr. Arun Kumar Pandey (App)

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

4 19-05-2016 Heard both sides.

The petitioners apprehend their arrest in Jalley P.S. Case No. 155 of 2015, registered for the offences punishable under Sections 386 and 34 of the Indian Penal Code.

The informant Shiv Shankar Kumar filed a complaint on the basis of which the present FIR is lodged. It is alleged that the petitioners had taken tractor for transportation of bricks, but the petitioners kept the tractor forcibly and demanded extortion.

It is submitted that the informant is own brother of Pramod Kumar who entered into an agreement with Manoj Kumar Mishra, the petitioner no. 1 for running a brick kiln on payment of Rs. 3,01,000/- per year. When brother of the informant did not pay

the amount some dispute arose and Manoj Kumar Mishra gave legal notice (Annexure- 2 and 2/1) and thereafter filed complaint case on the basis of which Jalley P.S. Case No. 176 of 2015 was registered. It is further submitted that on account of dispute false and fabricated case has been filed only with a view that the informant and his brother may not pay the amount agreed for running the brick kiln.

Considering the facts aforesaid, the petitioners above named, in the event of their 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, are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Darbhanga in Jalley P.S. Case No. 155 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Jha, J.)

KKSINHA/-

U		T	
---	--	---	--