

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25020 of 2016

Arising Out of PS.Case No. -33 Year- 2016 Thana -MAHKAR District- GAYA

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1. Sanjeev Sharma Son of Late Mukhtar Sharma @ Baikunth Sharma
 2. Mantoo Sharma Son of Baikunth Sharma
 3. Laloo Sharma Son of Bitu Sharma
 4. Baiju Sharma Son of Ranjit Sharma
 5. Bhutwa Sharma Son of Dinesh Sharma
 6. Dipu Sharma @ Dipu Kumar Son of Prashant Paraween @ Bhuletan Singh All are resident of village - Chhotiya, P.S. Mahkar, District - Gaya

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Sharma

For the Opposite Party/s : Mr. Dr. Indiwari Kumari (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 20-06-2016

Petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 223, 224, 323, 307, 353, 385, 427 of the Indian Penal Code and Section 3/4 of the Damage to Public Property Act.

The prosecution case is that the informant being A.S.I of Mahkar P.S. received information that ten persons are extorting money from the truckers carrying sand when the informant reached at the spot and apprehended petitioner No. 3 Laloo Sharma and petitioner No. 6 Dipu Sharma but subsequently the villagers got them released.

It is submitted by learned counsel for the petitioners that only on suspicion the accusation has been levelled and none of the truck drivers have made any complaint

of extort money.

A statement has been made in para 3 of the petition that petitioners have no criminal antecedent.

Considering the aforesaid facts, let the petitioners, above named, except petitioner Nos. 3 and 6, in the event of their arrest or surrender before the Court below within a period of 12 weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gaya in connection with Mahkar P.S, Gaya case vide F.I.R No. 33 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

So far as petitioner Nos. 3 and 6 namely Laloo Sharma and Dipu Sharma @ Dipu Kumar are concerned, let learned Court below consider the prayer for regular bail of the petitioner Nos. 3 and 6, keeping in view of the fact that no extortion of money was alleged from the truckers, if they surrenders within a period of six weeks in connection with Mahkar P.S, Gaya case vide F.I.R No. 33 of 2016, pending in the Court of learned Chief Judicial Magistrate, Gaya.

With the observations above, the application with regard to petitioner Nos. 3 and 6 stands disposed of.

(Dinesh Kumar Singh, J)

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