

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34310 of 2016

Arising Out of PS.Case No. -55 Year- 2016 Thana -HAZIPUR INDUSTRIAL District-
VAISHALI(HAJIPUR)

- =====
1. Upendra Bhagat, S/o Late Ram Pratap Bhagat.
 2. Suresh Bhagat, S/o Late Ram Pratap Bhagat. Both R/o Vill.- Basantpur,
P.S.- Jandaha, District- Vaishali.

.... Petitioners

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ravi Kumar Panday

For the Opposite Party/s : Mr. Rajballabh Singh

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 09-12-2016 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

The petitioner is apprehending his arrest in connection
with Industrial Area P.S. Case No. 55 of 2016 for the offence
instituted under Section 3 of D.P. Act.

The case of the prosecution, in short, is that the
marriage of the daughter of the informant was solemnized with
accused Manish Kumar and in token thereof the informant gave
Rs. 4,51,000/- to the accused persons for Barat expenses but later
on the accused persons retroacted from marriage for the demand
of Rs. 3 lac besides a bike.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. There is no allegation



of tampering of witnesses alleged against the petitioner. The petitioner is uncle of the co-accused. The main allegation is against co-accused Manish Kumar and by the order of the court, he has already deposited Rs. 1 lac in favour of the informant.

On behalf of the State and the counsel for the informant, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner no.2, namely Suresh Bhagat be released on anticipatory bail in the event of his arrest or surrender before the learned court below within a period of six weeks from today, in connection with Industrial Area P.S. Case No. 55 of 2016 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Vaishali at Hajipur, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

As far as the petitioner no.1 namely Upendra Bhagat is concerned, his anticipatory bail application has already been dismissed as withdrawn vide order dated 29.08.2016.

(Sudhir Singh, J.)

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