

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32705 of 2016

Arising Out of PS.Case No. -29 Year- 2015 Thana -KURSAKANTA District- ARRARIA

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Amod Yadav @ Amod Kumar Yadav, Son of Binod Kumar Yadav,
Resident of Village- Jagir Itahi, Panchayat Laxmipur, P.O. Haldhara, P.S.
Kursakanta, District Araria.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Soni Shrivastava, Advocate

For the Opposite Party/s : Mr. Md. Arif, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 09-12-2016 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in Kursakanta
P.S. case No.29 of 2015 registered under Sections 341, 323, 354A,
353, 427, 386, 504 and 506 of the Indian Penal Code, pending
before the court of A.C.J.M., Araria.

The prosecution case, in brief, is that on the alleged date
and time of occurrence the petitioner entered in the chamber of the
informant and started abusing her and demanded Rs.10,000/- from
her. When the informant raised protest, then the petitioner gave
her threat to life.

It has been submitted on behalf of the petitioner that
there is no allegation of tampering of witnesses alleged against the



petitioner. The petitioner has falsely been implicated in the present case. No offence under Section 354A of the I.P.C. is made out. From the facts disclosed in the F.I.R., no specific overt act has been alleged against him.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R. and he has tried to disturb the working of public office.

Considering the aforesaid facts and circumstances, I am not inclined to extend the privilege of anticipatory bail to the petitioner. Prayer for anticipatory bail is rejected.

Anyhow if the petitioner surrenders in the court below within a period of six weeks from today, the same shall be considered on its own merit without being prejudiced by this order. If possible, the same may be disposed of on the same day.

(Sudhir Singh, J)

Narendra/-

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