

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46598 of 2015

Arising Out of PS.Case No. -166 Year- 2015 Thana -BAIRIYA District-
WESTCHAMPARAN(BETTIAH)

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1. ALISHER MIAN @ ALISHER ALAM Son of Islam Mian, Resident of
Village - Hazari Tola, P.S. - Bettiah, town (Kalibag O.P.), District - West
Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey

For the Opposite Party/s : Ms. Gulnar Begum(App)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

5 25-02-2016 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

The petitioner is apprehending his arrest in connection
with Bairiya P.S. Case No. 166 of 2015, registered for offences
punishable under Section 384 of the Indian Penal Code.

Diary in the present case was called for, which has since
been received.

Learned counsel for the petitioner submits that though
there is an allegation that the petitioner's mobile phone number
9631741781 was used for the purpose of demanding *rangdari*, the
aforementioned mobile phone number has no connection
whatsoever with the present petitioner. In fact, during the course

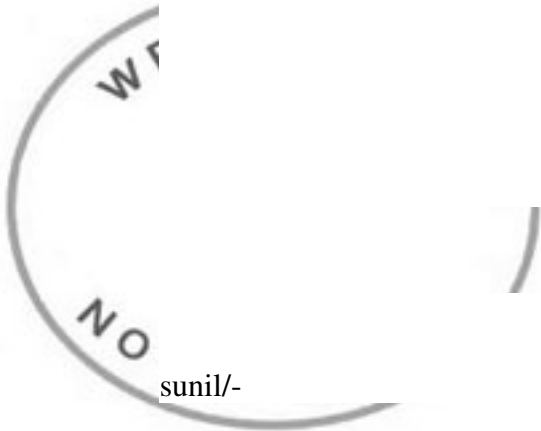


of investigation, it has come on record that the aforementioned number was registered in the name of one Pintu Alam and the same was being used by certain persons, namely, Manish Upadhyay, Vikash Kumar Shrivastava, Kanhaiya Sahani and the co-accused Vinay Sharma, who were in jail in connection with other cases and, therefore, there was no occasion for the police to conduct the raid on the premises of the petitioner. It is submitted that it appears that the petitioner is being chased needlessly.

Learned counsel appearing on behalf of the State after perusal of the case diary submits that save and except that a raid was conducted in the premises of the petitioner, where he was found absent, there is no further cogent material to show that the name of the petitioner is associated with the mobile phone number, which has been referred hereinabove.

Considering the facts and circumstances of the case and that the petitioner has no criminal antecedent let the petitioner in the event of his 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, be enlarged on bail on furnishing bond of Rs. 10,000 (Rs. Ten Thousand) with two sureties of the like amount each to the satisfaction of Sri Rakesh Kumar Rai, J.M. Ist Class, Bettiah, West Champaran in connection with Bairiya P.S. Case No. 166 of

2015, subject to the conditions as laid down under Section 438(2)
of the Cr.P.C.



(Anjana Mishra, J)

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