

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39368 of 2016

Arising Out of PS.Case No. -73 Year- 2016 Thana -KADAMKUAN District- PATNA

Dinesh Kumar Sahani @ Dinesh Sahani @ Billa, son of Late Ram Babu Sahani, resident of Mohalla - East Lohanipur, behind the Mandir, Police Station - Kadamkuan, District - Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumar Rajeev, Advocate

For the Opposite Party/s : Mr. Umanath Mishra, APP

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 17-10-2016 Heard learned counsel for the petitioners and the learned counsel for the State.

The petitioner is apprehending his arrest in connection with Kadamkuan P.S. Case No.73 of 2016 for allegedly having committed the offence under Section 395 of the Indian Penal Code.

Learned counsel for the petitioner submits that the present prosecution has been motivated and name of the petitioner has been brought in by the police only to tarnish his image as he was being compelled to withdraw the case, which was filed by the sister of petitioner, bearing Kadamkuan P.S. Case No.1608 of 2013. It is further submitted that though the petitioner is a close resident of the informant, he could well have

been identified and named in the F.I.R. However, the petitioner was not named in the F.I.R., but subsequently the police have brought his name for extraneous reasons.

Considering the nature of allegations made and that there has been no recovery from the conscious possession of the petitioner, let the petitioner, above named, 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 released on bail on furnishing bail bond of ₹10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Sri Madhwendra Singh, learned Judicial Magistrate 1st Class, Patna, in connection with Kadamkuan P.S. Case No.73 of 2016, G.R. No.1181 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjana Mishra, J)

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