

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.7034 of 2016

Arising Out of PS.Case No. -319 Year- 2015 Thana -MOTIHARI MUFASIL District-
EASTCHAMPARAN(MOTIHARI)

=====

Monu Kumar son of Sanjay Kumar Rai, Resident of Village- Shitalpur,
Station, P.S.- Parsa, District- Saran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar No.Iii

For the Opposite Party/s : Mr. C. Jawahar (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

02/ 16-02-2016

Heard learned counsels for the petitioner

and the State.

The petitioner is apprehending his arrest in
a case registered for the offences punishable under Sections 341,
323, 324, 354, 504 and 506 of the Indian Penal Code.
Subsequently, section 312 IPC was also added.

The prosecution case is that the informant
in partnership of one Arvind Kumar Yadav started a Mess near
Engineering College, Motihari. The informant invested rupees
fifty thousand but Arvind Kumar Yadav misappropriated the
same and did not give any share in the earning of the said Mess.
Subsequently on demand being made by the informant, Arvind
Kumar Yadav assaulted the informant with knife and gave life
threatening. The petitioner was not named in the FIR but his

name sprang up during investigation in the supervision note of Dy.S.P.

It is submitted by learned counsel for the petitioner that the specific accusation is against Arvind Kumar Yadav and since the petitioner is maternal cousin of Arvind Kumar Yadav he has been roped in by the Dy.S.P. maliciously.

A statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent.

Considering the thrust of accusation against Arvind Kumar Yadav, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran, Motihari in connection with Motihari Muffasil P.S. Case No. 319 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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