

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30149 of 2016

Arising Out of PS.Case No. -17 Year- 2016 Thana -SHANKARPUR District- MADHEPURA

Pradip Yadav S/o Late Ramdhari Yadav, Resident of village- Kabiya, Ward No. 11, P.S.- Shankarpur, District- Madhepura.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pawan Kumar, Adv.

For the Opposite Party/s : Mr. Ramchandra Singh, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 22-09-2016 Heard both sides.

The petitioner apprehends his arrest in Shankarpur P.S. Case No. 17/2016, registered for the offences punishable under Section 385 and other sections of the Indian Penal Code and under Section 3 of Prevention of Damage to Public Property Act.

The informant alleged that petitioner and his brother Dinesh Yadav were demolishing P.C.C. road when the informant protested, petitioner and his brother abused him and thereafter the petitioner Pradip Yadav began to demolish the name-plate of the M.L.A. and demanded extortion from the informant. Out of fear the informant gave Rs. 20,000/- to the petitioner.

It is submitted that allegations are false and concocted, due to political rivalry this case has been lodged. The wife of the

informant is Mukhia. Dinesh Yadav the brother of the petitioner fought the election of Mukhia and that is why this false case has been lodged. Similarly situated co-accused Dinesh Yadav brother of the petitioner has already been enlarged on anticipatory bail vide order dated 26.04.2016 passed in Cr. Misc. 17512/2016. The petitioner is also an accused in one case bearing Shankarpur P.S. Case No. 71/1998 registered under Section 307 and other sections of the Indian Penal Code, but the petitioner was acquitted vide order dated 28.03.2012 by the court below. Petitioner has got no criminal antecedent.

Learned A.P.P. also did not dispute this fact.

Considering the facts aforesaid, 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, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Madhepura in connection with Shankarpur P.S. Case No. 17/2016, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Prabhat Kumar Jha, J.)

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