

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.44611 of 2016

Arising Out of PS.Case No. -32 Year- 2016 Thana -DANDKHORA District-
KATIHAR

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1. Murari Kumar Chouhan, S/o Kurdat Chouhan, R/o
Hamsaili, P.S.- Dandkhora, Distt.- Katihar.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Singh

For the Opposite Party/s : Mr. Kalyan Shankar

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH**

ORAL ORDER

2 27-10-2016 Heard the parties.

This application, for grant of anticipatory bail,
arises out of Dandkhora P.S. Case No. 32 of 2016, disclosing
offences under Section 384 of the Indian Penal Code.

The petitioner is an electric mechanic working
under Rajeev Gandhi Vidhutikaran Project. It is alleged
against him that he illegally realized 100 rupees each from
the beneficiaries belonging to BPL for facilitating electric
supply/connection under the said scheme.

Learned counsel for the petitioner has submitted

that there is no allegation that there was any threat or coercion on the part of the petitioner to realize the said amount. He has, accordingly, submitted that no offence, under Section 384 of the Indian Penal Code, is made out on the basis of allegations made in the First Information Report.

Considering the facts and circumstances of the case, this application is allowed. Let the petitioner, above named, in the event of his arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of **learned Chief Judicial Magistrate, Katihar**, in connection with **Dandkhora P.S. Case No. 32 of 2016**, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bond shall be liable to be cancelled.

(Chakradhari Sharan Singh, J.)

Praveen-II/-c

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