

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35811 of 2016

Arising Out of PS.Case No. -62 Year- 2016 Thana -NAUHATTA District- SAHARSA

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1. Parvez Khan @ Md Parvez Khan Son of Mann Khan.
 2. Papu Khan, Son of Mann Khan.
 3. Pintu Khan @ Mintu Khan Son of Masud Khan
 4. Nadeem Khan, Son of Masud Khan All resident of village- Nauhata, Police Station- Nauhata, District- Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Singh

For the Opposite Party/s : Mr. Pawan Kumar Chaurasiya

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 05-09-2016 Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 341,342,504,323,384 and 506/34 of the Indian Penal Code.

The prosecution case is that on 20.4.2016 the informant sent his grand son Md. Samim for taking betel from Nauhatta chowk when the accused persons including the petitioners surrounded him and demanded extortion. The informant also raised apprehension for some serious incident at the hands of the accused persons.

It is submitted by the learned counsel for the petitioners

that the petitioners are also grand sons of the informant and due to family dispute the accusation has been levelled. Petitioner nos. 1,2 and 3 have no criminal antecedent. However, petitioner no. 3 is accused in a case under section 498A and 494 IPC. Admittedly, even assuming the accusation no offence under section 384 IPC is made out. At best, a case under section 385 IPC is made out which is bailable.

Considering the aforesaid facts and submissions, let the above named petitioners 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 bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned CJM, Saharsa in connection with Nauhatta P.S. Case No.62 of 2016 subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Anil/-

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