

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37772 of 2015

Arising Out of PS.Case No. -351 Year- 2013 Thana -MUZAFFARPUR SADAR District-
MUZAFFARPUR

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1. Harsh Kumar Son of Late Anand Srivastava resident of village - Dumari,
Goversahi, P.S. Sadar, District - Muzaffarpur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mrs. Bela Singh

For the Opposite Party/s : Mr. Nagendra Prasad (App)

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

4 09-02-2016 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor appearing on behalf of the State.

This application for grant of anticipatory bail arises out
of Muzaffarpur Sadar P.S. Case No. 351 of 2013, disclosing
offences under Sections 323,324,341,386/34 of the Indian Penal
Code.

Learned counsel for the petitioner submits that no
offence under Section 386 of the Indian Penal Code is made out as
the allegation does not contain any element of extortion within the
meaning of Section 383 IPC. She further submits that the
petitioner has falsely been implicated in the present case, which is
a counter blast to an earlier case instituted by the sister of the

petitioner. She also submits that no material has so far been collected in course of investigation to indicate that the victim Abhishek Kumar had received any injury.

Considering the submissions as above, this application is allowed. Let the petitioner above-named in the event of his arrest/surrender within four weeks from today in the Court below, be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand)with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Muzaffarpur in Muzaffarpur Sadar P.S. Case No. 351 of 2013, subject to the conditions as 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 bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

ArunKumar/-

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