

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8908 of 2016

Arising Out of PS.Case No. -35 Year- 2015 Thana -NARARI KALA KHURD District-
AURANGABAD

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Baban Singh Son of Sri Tulsi Singh, Resident of village- Jaggi Bigaha, P.S.-
Narari Kala Khurd, District- Aurangabad

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramendra Kumar Singh, Advocate

For the Opposite Party/s : Mr. R.P.S.Singh (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 25-02-2016 Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 341, 323, 384, 385, 427 and 506/34 of the Indian Penal Code and Section 27 of Arms Act.

The prosecution case is that on 01.12.2015 at 7 PM, the informant was travelling in his car along Omprakash Singh, Suresh Singh and Mahendra singh when the petitioner along with 5-6 persons put the pistol on the temporal region of the informant and demanded extortion of ₹5 lakhs and also threatened to lodge FIR.

It is submitted by learned counsel for the petitioner that in the background of political rivalry, the accusation has been levelled. The petitioner has been roped in the present case in order

to deprive him from contesting the Panchayat Election. For the occurrence of 01.12.2015 at 7 PM, the FIR was lodged on 02.12.2015 at 9.30 AM which reached to the court of learned JM on 09.12.2015 which suggests that by antedating, the FIR was lodged. Moreover, the informant has subsequently retracted from his initial version and filed a petition to that effect before the learned court below. A statement has been made in para 3 of the petition that the petitioner has no criminal antecedent.

Considering the aforesaid facts, 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 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Aurangabad in connection with Narari Kala Khurd P.S. Case No. 35 of 2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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