

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.4972 of 2017

Arising Out of PS.Case No. -52 Year- 2016 Thana -KHODABANDPUR District- BEGUSARAI

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Anil Mahto @ Anil Kumar, Son of Dullar Chand Mahto resident of Village-
Bariyarpur, Police Station- Khodawandpur, District- Begusarai.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Kundan Kumar, Advocate.

For the Opposite Party : Mr. Mukesh Kumar Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 15-03-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is languishing in custody since 16.05.2016
in connection with Khodawandpur P.S. Case No. 52 of 2016 for
the offences instituted under Sections 385 and 387/34 of the IPC.

The prosecution story, in brief, is that prior to this
occurrence, Nagmani Mahto, has demanded ransom from the
informant for which a case has been instituted and for making
pairvi in that case, the informant has gone to give evidence on
02.05.2016 and 13.05.2016. It is further alleged that this petitioner
arranged a talk through his Mobile Phone with Nagmani Mahto
and withdrawal of case was discussed between them and Rs.
20,000/- was demanded by way of ransom and in case of non-



withdrawal of case a threat was given to eliminate all family members of the informant. It is further alleged that on 16.05.2016 at 3.45 P.M., when the informant was at his home, this petitioner came there and again arranged a talk to Nagmani Mahto with his Mobile Phone at that time his villagers Raj Kumar Gupta, Rajesh Kumar Gupta and Sanjay Gupta came there and they have put the Mobile on speaker due to which they have heard threatening about withdrawal of case and demand of *Rangdari* of Rs. 20,000/-. In that way, this petitioner has said that if the informant wants rescue then give Rs. 20,000/-. Thereafter, they have informed the police and from his house the police has taken away this petitioner and requested legal action.

The earlier bail application of the petitioner was rejected vide Cr. Misc. No. 28399 of 2016 with an observation “at this stage”.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 16.05.2016 and the charge has already been framed. There is no allegation of tampering of the witnesses alleged against the petitioner. He has got no criminal antecedent. The petitioner has been made accused in the present case due to village politics. The petitioner and the informant are resident of the same village.



On behalf of the State, it has been submitted that the petitioner is named in the F.I.R.

Considering the earlier observation made in Cr. Misc. No. 28399 of 2016, let the petitioner above named, 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 S.D.J.M., Manjhaul, Begusarai, in connection with Khodawandpur P.S. Case No. 52 of 2016.

The petitioner is directed to be personally present on each and every date fixed by the court below. If he fails to do so, his bail bond shall stand cancelled by the court below itself.

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(Sudhir Singh, J)

