

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47269 of 2017

Arising Out of PS.Case No. -501 Year- 2016 Thana -LAHERIASARAI District- DARBHANGA

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1. ALTAF AHMAD @ MD. ALTAF AHMAD, Son of Ali Ahmad,
Resident of Mohalla- Saidnagar, P.S.- Laheriasarai, District- Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vinay Kumar Mishra

For the Opposite Party/s : Mr. Ashok Kumar Singh 1

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 17-10-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in connection with Laheriasarai
P.S. Case No. 501 of 2016 for offences punishable under Sections
341, 323, 384, 387, 504, 506/34 of the Indian Penal Code.

The prosecution case, as lodged by the informant, is
that he owns a petrol pump, namely, M/s Shankar Fuel and while
he was returning to his house, the petitioner along with 4-5
unknown persons intercepted him and demanded rangdari on
pistol point. When the informant objected, the petitioner forcibly
took gold chain worth Rs. 60,000/- and cash of Rs. 5500/- from his
pocket and threatened him. It is alleged that few months back the



petitioner had assaulted his cousin brother Mukesh Kumar Singh for which Laheriasarai P.S. Case No. 355/16 was lodged against him in which he was in custody and had come out of jail recently.

It has been submitted by the learned counsel for the petitioner that he is innocent, except the case lodged by the cousin brother of the informant being Laheriasarai P.S. Case No. 355/16 the petitioner has got no other criminal antecedent and due to previous enmity the petitioner has been falsely implicated. He further submits that Sections 384, 387 of the Indian Penal Code is not applicable and that the petitioner is languishing in judicial custody since 24.07.2017.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on bail on completion of six months in custody on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Darbhanga, in connection with Laheriasarai P.S. Case No. 501/2016, subject to the following conditions :

- (i) Both the bailors would be close relatives of the petitioner



having sufficient immovable property, who will file an affidavit stating their relationship with the petitioner.

- (ii) Petitioner will appear before the learned court below during trial as and when required and failure to appear on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.
- (iii) If the petitioner indulges in an offence of similar nature in future, the prosecution will be at liberty to move the court below for cancellation of his bail bonds.

(Nilu Agrawal, J)

Rajesh/-

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