

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39823 of 2017

Arising Out of PS.Case No. -387 Year- 2016 Thana -KISHANGANJ District- KISANGANJ

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Md. Akbar Ali @ Akbar @ Akbar Ali, Son of Md. Afsar, Resident of Mohalla- Nawab Chauk, Pokhariya, District- Begusarai, at present residing -Line Mohalla, Rehman Medical Hall, Subhash Palli, Police Station & District- Kishanganj.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

2 18-09-2017 Let the supplementary affidavit filed on behalf of the petitioner be kept on the record.

Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Kishanganj P.S. Case No.387 of 2016 registered under Sections 420, 467, 468 and 506 of the Indian Penal Code.

The accusation is that the petitioner, presently resident of Line Mohalla, Rehman Medical Hall, used the letter pad of the General Secretary, Janta Dal (U) and he also contested as independent candidate in the year 2015 against Mahagathbandhan



formed by JD(U) and RJD.

Learned counsel appearing on behalf of the petitioner submits that, in fact, the petitioner was the General Secretary of the minority of JD(U) till 2015 and he had made complaint against the S.D.O., who is the informant of the present case, for indulging with illegal sand Mafia and also submitted a written complaint against him before the Collector and other authorities. Accordingly, a departmental proceeding was initiated against the informant, which would appear from “Annexure-6/9” to the supplementary affidavit filed on behalf of the petitioner. Due to that reason, only to put pressure upon the petitioner, the present case has been lodged by the informant. Further submission is that at the time of filing of the present application, the petitioner had no criminal antecedent but, later on, one case has been lodged against the petitioner by the sand Mafia.

Having considered the facts and the circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender by him within six weeks from today, be enlarged on bail on his furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Kishanganj, in connection with Kishanganj P.S. Case No.387 of 2016, subject to the conditions



laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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