

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13267 of 2017

Arising Out of PS.Case No. -815 Year- 2016 Thana -BANKA District- BANKA

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1. Dablu Choudhary, Son of Jagarnath Choudhary, Resident of village-
Kurthiyatkar, Police Station- Bounsi, District- Banka.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee, Advcoate

For the Opposite Party/s : Mr. Vinod Shankar Modi, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 11-05-2017 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 447/307/384/379/504 and other minor sections of the Indian Penal Code and Section 27 of the Arms Act.

The F.I.R. would reveal that allegation against the petitioner is of demand of ransom to allow the informant to mine sand. There is further allegation of commission of assault and theft.

Learned counsel for the petitioner submits that from the F.I.R. it would be evident that the informant was involved in illegal mining and that is why he agreed to make the petitioner and others partners in the mining business.



In fact, the petitioner and others were protesting against the damage of the road by the tractor carrying sands. The petitioner has got no criminal antecedent and is doing business at Puna.

The case-diary would reveal that the informant has no licence for mining of sand.

Considering the entire facts and circumstances aforesaid, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on anticipatory bail 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, Banka/Successor Court in connection with Banka Police Station Case No.815 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure. With further condition that petitioner shall fully cooperate with the investigation and trial of the case, failing which the Court-below shall be at liberty to take steps for cancellation of the bail-bonds of the petitioner in this case.

(Birendra Kumar, J)

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