

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9964 of 2017

Arising Out of PS.Case No. -285 Year- 2016 Thana -WARSALIGANJ District- NAWADA

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Ankur Singh @ Onkar Kumar, Son of Sunil Singh, Resident of Village-
Ganga Rampur, P.S.- Narhat, District- Nawada. at present resident of
Village- Thera, P.S.- Warisaliganj, District- Nawada.

.... Petitioner/s

Versus

The State of Bihar.

... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Hansraj

For the Opposite Party/s : Mr. Smt. Asha Devi

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 18-03-2017 Heard the parties.

The petitioner is apprehending his arrest in connection with Warisaliganj P.S.Case No.285 of 2016 registered for offences punishable under Sections 341, 323 and 384/34 of the Indian Penal Code.

It is submitted on behalf of the petitioner that petitioner and informant are '*Sala*' and '*Bahnoi*', which will appear from the impugned order itself and further there is allegation that he demanded '*Rangdari*' and snatched Rs.2,000/-. The falsity of the case will appear from perusal of the materials collected during the course of the investigation and the impugned order itself shows that one witness Raja Ram in para 21 of the case diary has denied the occurrence and theft as well as attempt of extortion and stated about money dispute between the parties. The petitioner has clean antecedent.



Heard learned A.P.P. also.

Having heard both sides and in view of the fact that the petitioner and the informant are close relatives and one of the witnesses has denied such occurrence, as alleged in the F.I.R., as such let the petitioner, above named, in the event of arrest or surrender before the court below within a period of six weeks, be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of A.C.J.M.-II, Nawada in connection with Warisaliganj P.S.Case No.285 of 2016, subject to conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

With following conditions :

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall co-operate in the investigation of the case and make himself available as and when required by the police, otherwise, the prosecution is free to move for cancellation of his bail.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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