

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6993 of 2017

Arising Out of PS.Case No. -243 Year- 2016 Thana -JOGAPATTI District-
WESTCHAMPARAN(BETTIAH)

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Md. Aiyub, Son of Islam Mian, Resident of Village-Dhabelwa, P.S.-
Jogapatti, District-West Champaran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr.

For the Opposite Party : Mr. Sri Chaubey Jawahar

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

2 23-02-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner apprehends his arrest in connection
with Jogapatti P.S. Case No. 243 of 2016, registered for the
offences punishable under Sections 341, 323, 387, 504, 506 of the
Indian Penal Code.

Allegedly, the petitioner stopped the informant, the
Headmaster of Middle School, Bhabelwa, demanded Rs. 20,000/-
as ransom and on protest assaulted the informant with fists and
slaps and directed him to pay Rs. 2000/- per month otherwise to
shoot him.

Submission is of false implication and that no
offence under Section 387 of the I.P.C. is made out, at best, it can



be Section 385 of the I.P.C. The petitioner was raising voice against the misconduct of the informant regarding Mid Day Meal and other scheme, the informant being annoyed has lodged this case. The petitioner has filed Cr.W.J.C. No. 79 of 2017 and, as such, the petitioner deserves sympathetic consideration.

The learned A.P.P. opposes the prayer of pre-arrest bail by submitting that Cr.W.J.C. has been filed by the petitioner after lodging of the F.I.R. and further the petitioner has got criminal antecedent.

In the facts and circumstances as stated above, considering the allegation and further that the petitioner has got criminal antecedent, I am not inclined to grant privilege of pre-arrest bail to him and accordingly his such prayer stands rejected in connection with Jogapatti P.S. Case No. 243 of 2016, pending in the Court of learned Additional Chief Judicial Magistrate-II, West Champaran at Bettiah.

(Jitendra Mohan Sharma, J.)

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