

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9259 of 2017

Arising Out of PS.Case No. -126 Year- 2016 Thana -MARKAHI District- KHAGARIA

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1. Chandan Devi wife of Bishundeo Sharma
 2. Mala Devi wife of Dayanand Sada
 3. Bishundeo Sharma son of Late Singheshwar Sharma
 4. Lalan Sada @ Lalan Kumar Sada
 5. Dayanand Sada Both sons of Late Bhuto Sada All residents of village - Sonmanki Bandh, P.S. - Morkahi, District - Khagaria.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Sumiran Rai
For the Opposite Party/s : Mr. Smt. Sucheta Yadav

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 01-03-2017 Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in Morkahi P.S. Case No. 126 of 2016 instituted for the offence under Section (s) 386/34 of the Indian Penal Code.

It is alleged in the written report that petitioner No. 3 with other accused persons made demand of rangdari of Rs. 50,000/- from the informant while earth filling work was going on under MANREGA project. Ultimately when the informant paid Rs. 40,000/- to the petitioner No. 3, then informant and his



labourers were released. The informant also gave information about such occurrence to the Mukhiya on the same day which has been annexed in the written report.

In such circumstance, since there is specific allegation against petitioner No. 3 namely Bishundeo Sharma, this Court is not inclined to enlarge the petitioner No. 3 on anticipatory bail. The prayer of the petitioner No. 3 for anticipatory bail is rejected.

The petitioner No. 3 is directed to surrender before the Court below within a period of six weeks from today in connection with Morkahi P.S. Case No. 126 of 2016 and seek regular bail, which shall be considered and disposed off on its own merit without being prejudiced by the order of this Court.

So far as allegation against petitioner Nos. 1, 2, 4 and 5 are concerned, since there is no allegation of any overt act against these petitioners, the prayer of the petitioner Nos. 1, 2, 4 and 5 for anticipatory bail is allowed. In the event of surrender/arrest of the petitioner Nos. 1, 2, 4 and 5, above named, within six weeks from today in connection with Morkahi P.S. Case No. 126 of 2016, they shall be released on anticipatory bail on furnishing bail bond of Rs. 10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of learned



Sub-Divisional Judicial Magistrate, Khagaria, subject to the conditions as laid down under Section 438(2) of Cr.P.C.

(Sanjay Priya, J)

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