

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42 of 2017

Arising Out of PS.Case No. -195 Year- 2016 Thana -KOTWALI District- PATNA

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Abhishek Anant Dwivedi, S/o Late Gauri Nath Dwivedi @ Late Dharam Nath Dwivedi, R/o Chhoti Patan Devi Temple, P.S. Chouk, District - Patna

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binod Murari Mishra, Adv.

For the Opposite Party/s : Mr. Jai Narain Thakur, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 08-03-2017 Learned counsel for the petitioner is permitted to make correction in the name of the petitioner.

Heard both sides.

The petitioner apprehends his arrest in Kotwali P.S. Case No. 195/2016, registered for the offences punishable under Sections 387 and 504 of the Indian Penal Code.

The informant former Chairman of Bihar State Religious Trust Board wrote application addressing to the Senior Superintendent of Police, Patna on the basis of which the present F.I.R. was lodged.

It is alleged that the petitioner sent 21 times message from his mobile no. 9905254063 using un-parliamentary language.

Learned counsel for the petitioner submits that the



petitioner is a 'Sevait' of Chhoti Patan Devi Temple and there is dispute with regard to the 'Sevaitship'. The petitioner did not demand any extortion by sending any message, if at all petitioner sent any message, no offence under Section 387 is made out.

Considering the facts aforesaid and nature of allegation made against the petitioner, the petitioner above-named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Patna in connection with Kotwali P.S. Case No. 195/2016, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Prabhat Kumar Jha, J.)

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