

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.70024 of 2018

Arising Out of PS. Case No.-109 Year-2018 Thana- SIDHWALIYA District- Gopalganj

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MUNNA @ MUNNA KUMAR @ MUNNA SINGH, Son of Nagendra Singh, Resident of Village- Himmatpur Tola Lohijara, P.S.- Sidhwalia, District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar Tiwary

For the Opposite Party/s : Mr. Binod Kumar 2

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 05-12-2018 Heard learned counsel for the petitioner and learned APP for the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 385, 467 and 468/34 of the Indian Penal Code.

The prosecution case as per the written report of Pintu Kumar Singh submitted to the S.H.O., Sindhwaliya P.S. is to the effect that on 16.05.2018, the petitioner was cleaning his land to construct a poultry farm, in the meantime, the petitioner, Munna Kumar along with co-accused Rakesh Kumar came with pistol and started abusing the informant. It is further alleged that the



accused persons also demanded an extortion of Rs. 2,00,000/- for allowing the informant to construct poultry farm on the said land.

It is submitted by learned counsel for the petitioner that even assuming the accusation, no offences under Sections 467 and 468/34 is made out against the petitioner. Moreover for the occurrence of 16.05.2018, the FIR has been registered after a substantial delay on 06.06.2018, on the basis of written information dated 04.06.2018. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

It is submitted by learned APP for the State that the petitioner is named in the FIR and there is specific accusation against him.

Considering the nature of accusation being omnibus and general, coupled with statement made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned



ACJM VI, Gopalganj in connection with **Sidhwalia P.S. Case**
No. 109 of 2018 subject to the conditions as laid down under
Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

Deepak/Rahul/-

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