

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8291 of 2018

Arising Out of PS.Case No. -776 Year- 2017 Thana -BANKA District- BANKA

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1. Pramod Nayak, S/o Santlal Sah,
2. Mitthu Kumar, S/o Pramod Nayak,
3. Ajay Nayak, S/o Pramod Nayak, All are Resident of Vijainagar, Ward
No. 20, P.S. Banka, District- Banka.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhananjaya Nath Tiwari

For the Opposite Party/s : Mr. Sri S. Ehteshamuddin

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA**

ORAL ORDER

2 17-02-2018

Heard both sides.

The petitioners apprehend their arrest in Banka P.S.
case No. 776 of 2017 under Section 406, 419, 420, 384, 385, 386
of the Indian Penal Code.

The informant alleged that Pramod Nayak, petitioner
No.1, is tenant of his shop. There was an agreement to pay arrears
of rent and vacate the shop but the petitioners demanded extortion
for vacating the shop and while the informant was returning from
Bhagalpur they all surrounded him and threatened the informant to
kill on non payment of extortion amount.

The learned counsel for the petitioners submits that
petitioners are father and sons and they are tenant of the shop of



informant. Some dispute arose due to vacating the shop and for payment of rent that is why the informant lodged the case making false allegation.

Considering the facts aforesaid and the nature of allegation made against the petitioners, the petitioners, above named, in the event of their arrest or surrender before the learned court below within a period of four weeks from the date of receipt/ production of a copy of this order are 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 learned Chief Judicial Magistrate, Banka in connection with Banka P.S. case No. 776 of 2017, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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