

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.1832 of 2018

Arising Out of PS. Case No.-3126 Year-2015 Thana- PATNA COMPLAINT CASE District-
Patna

Ambika Ray, Son of late Mahtab Ray, Resident of Village-Paithani Nathupur,
P.S. -Beur, District-Patna.

... .. Petitioner/s

Versus

1. State of Bihar
2. Mukesh Kumar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rudra Deo, Adv.
For the Opposite Party/s : Mr. J. N. Thakur, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 15-01-2018 Heard learned Counsels for the petitioner and learned APP
for the State.

The petitioner is apprehending arrest in a complaint case wherein process has been directed to be issued after cognizance being taken for the offences punishable under Sections 147, 323, 504 and 379 of the Indian Penal Code.

The prosecution case as per the complaint petition is that on 30.08.2015, at 9.00 AM, the petitioner along with accused persons came to the house of the complainant and started abusing and assaulted him. It is further alleged that the petitioner took out Rupees Two Thousand from the pocket of the informant, when co-accused, Tuntun Kumar, demanded extortion of Rupees One Lakh.

It is submitted by learned counsel for the petitioner that the



petitioner is agnate of the informant and in the background of land dispute the accusation has been levelled. All the sections are bailable except Section 379 of the I.P.C. which is cosmetic in nature. 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 Mr. J. Thakur, learned APP for the State that accusation of demanding extortion amount of Rupees One Lac has been made against the petitioner.

Considering the the nature of accusation in the background of land dispute 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 Judicial Magistrate, Patna in connection with Complaint Case No. 3126 C of 2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

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