

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.59032 of 2018

Arising Out of PS. Case No.-365 Year-2013 Thana- COMPLAINT CASE District- Banka

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1. Sanjay Kumar Panjiyara, S/o Dashrath Panjiyara,
 2. Dashrath Panjiyara S/o Late Jagdish Panjiyara,
 3. Kamdeo Panjiyara, S/o Late Jagdish Panjiyara,
- All are R/o Vill.- Shekhpura, P.S.- Chandan, District- Banka.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Moti Lal Mahto S/o Late Jamun Mahto, R/o Vill.- Sheikhpora, P.S.- Chandan, District- Banka.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Jha
For the Opposite Party/s : Mr. Mritunjay Kumar Nirala

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 08-10-2018 Heard learned counsel for the petitioners and learned
counsel for the State.

In this case, the petitioners are apprehending their arrest in connection with Complaint Case No. 365 of 2013 registered for offences under sections 504, 384, 392, 448, 506, 452/34 of the Indian Penal Code and Section 27 of the Arms Act.

An allegation has been made that the accused persons have come to the house of the Complainant and demanded the extortion money on the threat of life and also made an allegation that they have demanded Rs. 50,000/- and forcefully taken Rs. 10,000/- and directed that if he will not give



the rest amount of Rs. 40,000/-, he will have to face the consequences.

Learned counsel for the petitioners submits that the petitioner no.2 is an old person having more than 70 years of age.

Looking to the age of the petitioner no.2, namely, Dashrath Panjiyara, let he, in the event of his arrest or surrender before the court below within a period of four weeks from today, be released on provisional bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Banka in connection with Complaint Case No. 365 of 2013, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also subject to condition that whenever the police will call the petitioner for investigation/interrogation, he will remain present and if he would not present himself, the privilege of grant of anticipatory bail shall be deemed to have been canceled.

The provisional bail granted to the petitioner no.2 will be subject to the verification of the age on the basis of Aadhar Card by the Magistrate and if it is found that he is more than 70 years old, the provisional bail, granted today, will be



confirmed.

The prayer for anticipatory bail of the petitioner nos. 1 & 3 is, however, rejected with the liberty to surrender before the court below within a period of three weeks from today and pray for bail and the court below, without being prejudiced by this order, will consider the same and take a decision by passing an order in accordance with law.

(Shivaji Pandey, J)

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