

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.70674 of 2018

Arising Out of PS. Case No.-39 Year-2018 Thana- JAYRAMPUR District- Sheikhpura

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Mona Kumar @ Aditya Kumar Son of Shambhu Mahto @ Sanjay Kumar Sinha, resident of Village- Jagdishpur, Police Station- Jairampur, District- Sheikhpura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bipin Kumar

For the Opposite Party/s : Mr. Bhanu Pratap Singh

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 17-12-2018 Heard learned counsels for the parties.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 147,148,149,341,323,504,506,353,307 and 379 of the IPC.

The prosecution case as per the written report of Binit Kumar dated 6.8.2018 submitted to the SHO, Jairampur police station, is to the effect that on the same day at 2.30 P.M. when the informant, being the Manager of Bihar Rural Bank, Jagdishpur Branch, was working, in the mean time certain officials came and requested for speedy collection of loan amount whenever the informant and other officials went to co-accused, Lovekush Kumar for repayment of the loan amount but the family members of Lovekush Kumar declined to repay the



loan amount. Thereafter, the father of Lovekush Kumar came to the bank and threatened the informant and at 4.30 P.M. the petitioner and other co-accused persons returned and attacked the informant and brutally assaulted him and snatched away three thousand rupees from the informant's pocket.

It is submitted by learned counsel for the petitioner that the thrust of accusation is against co-accused Lovekush Kumar and from the accusation made in the FIR, it appears that no injury has been caused. Even assuming the accusation to be true, no offence under Section 353 of the IPC is made out against the petitioner. It is further submitted that the accusation of snatching money has been levelled against co-accused Lovekush Kumar.

Learned APP submits that there is specific accusation against the petitioner.

Considering the fact that the accusation under Section 353 and 379 of IPC has not been levelled against the petitioner and statement made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent, let the petitioner above named be released on anticipatory bail in the event of arrest or surrender within 12 weeks on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned JM Ist Class,



Sheikhpura in connection with Jairampur P.S. Case No. 39 of
2018 subject to the conditions laid down in Section 438(2) of
the Cr.P.C.

(Dinesh Kumar Singh, J)

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