

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54826 of 2018

Arising Out of PS. Case No.-278 Year-2018 Thana- KHAJANCHI HAT District- Purnia

Md. Haidar Alam, Son of Md. Jamiruddin, (post Master of Maranga Post Office), P.S. K. Hat Maranga District- Purnea. Resident of Village- Bank Miyapur, P.S. Terhagach District- Kishanganj.

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Nadimul Hasan, Advocate

For the Opposite Party : Mr. Anuj Kumar Srivastava, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 20-11-2018 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner is apprehending his arrest in a case for the offence registered under Sections 341, 342, 323, 325, 307, 379 and 504/34 of the I.P.C.

The prosecution story, in brief, is that prior to eight days, the informant received information on mobile that he get a new Mobile and the said Mobile will be sent through Post and for this, he has to deposit Rs. 3500/- in the Post Office. On 24.04.2018 at about 4.00 P.M. he received information on mobile from Maranga Post Office that his parcel has come and after depositing Rs. 3500/- in the Post Office, he will be taken parcel. He went there for taking parcel then a packet was shown



which was already opened. He refused to take it. On this, Postmaster(petitioner) forced him for depositing Rs. 3500/-. On protest, he caught him forcibly and closed him inside the room and started informing to some persons. The informant informed to his owner then his owner reached at Post Office and told the Post Master to release him then Post Master started misbehaving with his owner. Gunja Yadav and 3-4 unknown persons in furtherance of their common intention to all started assaulting the informant and his owner with intention to kill him due to which owner of the informant, namely, Ayush Kumar Sinha sustained fractured injury on his both hands. Nearby people came and saved him and his owner. Accused took Rs. 5700/- from the pocket of the informant.

It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. The petitioner is said to be the Postmaster of the concerned Post Office. There is no allegation of assault against the petitioner. Allegation of assault is against co-accused Gunja Yadav alongwith 3-4 unknown persons. No injury has been caused by the petitioner.



On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Purnea in connection with K.Hat (Maranga) P.S. Case No. 278 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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