

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37291 of 2018

Arising Out of PS. Case No.-102 Year-2018 Thana- BHAGWAN BAZAR District- Saran

Tinku Ray @ Tinku Kumar Ray, S/o Gopal Prasad Ray, R/o Vill.-
Shyamchak, P.S.- Bhagwan Distt.- Saran at Chapara.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Chandra Mohan Jha, Advocate
For the Opposite Party/s : Mr. Braj Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 04-07-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

In this case, the petitioner is seeking anticipatory bail in connection with Bhagwan Bazar P.S. Case No.102 of 2018, registered for the offence punishable under Sections 341, 323, 504, 506 and 387/34 of the Indian Penal Code.

Allegation has been made that while the informant was coming on his motorcycle, co-accused Kishore Kunal and the present petitioner intercepted and started abusing him. When the informant objected, they assaulted him with *lathi* and *danda* and by way of extortion money, they have obtained his signature



on cheque and said that in the event it is dishonored he will be dealt properly.

Learned counsel for the petitioner submits that Kishore Kunal has been granted anticipatory bail by the Court below, recording the fact that Kishore Kunal was there in the office at the relevant time. He further submits that as there is a recording of fact that he was going along with Kishore Kunal in the event of grant of anticipatory bail to Kishore Kunal on the plea of *alibi*, then the presence of the petitioner itself became a case of doubt.

Looking to the aforesaid facts and circumstances of the case, let the petitioner, namely, Tinku Ray @ Tinku Kumar Ray, be released on anticipatory bail in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Saran at Chapra, in connection with Bhagwan Bazar P.S. Case no.102 of 2018, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure. Further condition is that whenever the police will call the petitioner for the purposes of investigation and interrogation, he will remain



present for the investigation. In the event of being absent on two consecutive dates without reasonable explanation, the present order will be treated to have been cancelled.

(Shivaji Pandey, J)

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