

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.63619 of 2017

Arising Out of PS.Case No. -152 Year- 2017 Thana -NATHNAGAR District- BHAGALPUR

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Rajesh Sharma, Son of Anirudh Sharma, Resident of Village -Kamdeopur,
P.S.-Amarpur, District-Banka, at Present C/o-Gaurikant Mishra, resident of
Rampur, P.S.-Nathnagar, District-Bhagalpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amrendra Kumar Jha

For the Opposite Party/s : Mr. Awadhesh Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 09-02-2018 Heard the learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks anticipatory bail in connection with
Nathnagar (Madhusudanpur) PS case no. 152 of 2017 (G.R. No.
1627/17) registered for the offences punishable under Sections
147, 149, 341, 342, 323, 379, 386, 504 and 506 of the Indian Penal
Code.

The allegation against the accused persons is regarding
kidnapping the informant and taking him to a secured place
where the petitioner herein and one other person were standing
from before and the petitioner is said to have snatched a sum of
Rs. 7200/- from the pocket of the informant. It is further alleged
that the other accused person had told the informant to pay a sum



of Rs. 2 lacs since the said Rajesh Singh i.e. the petitioner herein had given them a contract of Rs. Six lacs for the purpose of killing the informant.

The learned counsel for the petitioner submits that no specific overt act has been alleged as far as the petitioner is concerned. In fact, the informant has not suffered any injury since there is no injury report on the record of the case diary. It is further submitted that the petitioner has a clean antecedent and he is ready to join investigation.

Per contra, the learned counsel for the informant has vehemently opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case, in the event of arrest or surrender before the concerned court within a period of six weeks from the date of receipt/production of a copy of the present order, the petitioner above named is directed to be released on anticipatory bail on furnishing bonds of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. 1st, Bhagalpur in connection with Nathnagar (Madhusudanpur) PS case no. 152 of 2017 (G.R. No. 1627 of 2017), subject to the conditions laid down under Section 438(2) of Code of Criminal Procedure.

It is further directed that the petitioner shall join



investigation and would be present as and when he is called by the investigating agency. Any non-cooperation with the prosecution will result in cancellation of the present privilege of anticipatory bail, for which the investigating Officer/ prosecuting agency shall be free to approach this Court.

(Mohit Kumar Shah, J)

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