

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13303 of 2018

Arising Out of PS.Case No. -424 Year- 2017 Thana -GOGRI District- KHAGARIA

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1. Raushan Kumar, S/o Pamesh Yadav,
2. Uttam Yadav S/o Late Nago Yadav,
3. Rohit Kumar S/o Patho Yadav, All R/o Village- Barahra, P.O. Bari
Maliya, P.S.- Gogri, District- Khagaria.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mrityunjay Kumar

For the Opposite Party/s : Mr. Smt. Nirmala Kumari

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 15-05-2018 Heard the parties.

The petitioners are apprehending their arrest in connection with Gogri P.S.Case no.424 of 2017 dated 6.10.2017, G.R.No.2851 of 2017, registered for offences punishable under Sections 447, 427, 384 and 34 of the Indian Penal Code and Section 27 of the Arms Act.

Allegation against the petitioners is about demand of extortion from the informant, otherwise damage of his paddy.

Submission of the learned counsel for the petitioners is that para 7 of the case diary clearly shows that there is dispute between the parties and they have been falsely implicated in this case.

Heard learned A.P.P. also.



Having heard both sides and in view of the facts and circumstances, as stated above that ,let the petitioners, above named, in the event of arrest or surrender before the court below within a period of six weeks from the date of order, be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Khagaria in connection with Gogri P.S.Case no.424 of 2017 dated 6.10.2017, G.R.No.2851 of 2017, subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

With following conditions :

- (i) One of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioners will not induce any witness or tamper with the evidence.
- (iii) The petitioners shall co-operate in the investigation of the case and make themselves available as and when required by the Police, otherwise, the prosecution is free to move for cancellation of their bail bond.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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