

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.15741 of 2018

Arising Out of PS.Case No. -275 Year- 2016 Thana -JAYNAGAR District-
MADHUBANI

=====
Rupesh Yadav @ Rupesh Kumar, S/o Jivachh Yadav, R/o
Village- Kuath, P.S.- Jainagar, District- Madhubani.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raj Kumar, Adv.

For the State : Mr. Satyendra Narayan Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 05-04-2018 The petitioner seeks bail in anticipation of his arrest in connection with Jaynagar P.S. Case No. 275 of 2016, dated 16.11.2016, instituted for the offences punishable under Sections 147, 149, 148, 341, 323, 379 and 504 of the Indian Penal Code and Section 27 of the Arms Act.

It has been alleged in the First Information Report that a committee had been constituted for the safety of the shopkeepers of the area. In that connection, the First Information Report was lodged with respect to an occurrence which had taken place on 15.11.2016. The petitioner and four others, after consuming intoxicants had assaulted some



of the shopkeepers and divested them of their money, assessed at approximately Rs. 15,000/- and were also threatened by means of the butt of the pistol.

Mr. Raj Kumar, learned Advocate for the petitioner submits that from the averments made in the First Information Report, it would appear that only because a committee had been constituted for looking after the safety of the shopkeepers, that the present case has been lodged without any occurrence of the kind having taken place, as narrated in the First Information Report. The allegations do not inspire confidence for the reasons that the allegations are vague and general and the First Information Report does not disclose as to which shopkeeper was assaulted or from which shop Rs. 15,000/- was taken away.

It has further been submitted that the allegation with respect to taking away of the motorcycle is also vague as no information has been provided about the owner of the motorcycle.

The petitioner has clean antecedent.

Considering the aforesaid facts, let the petitioner, above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two



sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Madhubani, in connection with Jaynagar P.S. Case No. 275 of 2016 corresponding to G.R. No. 2356 of 2016.

(Ashutosh Kumar, J)

Praveen-II/-

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