

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21160 of 2018

Arising Out of PS. Case No.-83 Year-2006 Thana- SIKTI District- Araria

Md. Irfan, Son of Bijwa, resident of Village- Khoragachh Kathwa, P.S.-
Sikty, District- Araria.

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Baleshwar Kamat, Advocate
For the Opposite Party	:	Mr. Asharaf Ansari (APP)

**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

2 27-04-2018 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner apprehends his arrest in connection
with Sikty P.S. Case No. 83 of 201606, registered for the
offences punishable under Sections 341, 323, 384, 386, 379,
504/34 of the Indian Penal Code.

Allegedly, when the informant along with Ibrahim
Ansari was returning to their village after attending Iftar party
then in the way Habibur Rahman, the petitioner and Md. Abbas
stopped the motorcycle of the informant started assaulting him
and demanded cash of Rs. 10,000/- as ransom, when the
informant showed inability the accused persons pointed the
pistol at temporal region of the informant and snatched his
motorcycle. The cause of occurrence is of enmity due to



panchayat election.

Submission is of false implication and that as a matter of fact that the informant had taken the money to purchase motorcycle and when the money was not returned his motorcycle was snatched and then he lodged this false case. Similarly situated co-accused Abbas has been allowed pre-arrest bail vide Cr. Misc. no. 37637 of 2016 by order dated 29.08.2017 by another co-ordinate bench of this Court vide Annexure-2 and, as such, the petitioner deserves sympathetic consideration.

The learned A.P.P. fairly submits that the case of the petitioner is similar to that of Md. Abbas,

In the facts and circumstances as stated above, the petitioner in the event of his arrest or surrender within four weeks from the date of receipt/production of a copy of this order shall be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Araria, in connection with Sikty P.S. Case No. 83 of 2006, subject to the conditions as laid down in section 438(2) of the Cr.P.C.

(Jitendra Mohan Sharma, J.)

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