

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.52516 of 2018

Arising Out of PS.Case No. -1285 Year- 2017 Thana -PATNA COMPLAINT CASE District-
PATNA

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Sanjay Shankar, Son of Late Kameshwar Lal Das, Resident of
Village/Mohalla - Maharani Colony, Kamaldah Path, P.S. - By - Pass,
District - Patna (Bihar).

.... Petitioner

Versus

1. The State of Bihar.
2. Nirbhay Shankar, Son of Late Kameshwar Lal Das, Resident of
Village/Mohalla - Maharani Colony, Kamaldah Path, P.S. - By- Pass,
District - Patna (Bihar).

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Rakesh Kumar, Advocate.
For the State : Smt. Sahin Begam, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 10-09-2018 Heard learned counsel for the petitioner, learned

A.P.P. for the State and learned counsel for the opposite party no.

2.

The petitioner is apprehending his arrest in a case for
the offence registered under Sections 323, 379 and 384 of the IPC.

The prosecution story, in brief, is that the petitioner is
own brother of the complainant and for the purpose of education
used to live in complainant's house on rent and after some years
he tried to usurp his property by hatching conspiracy and threat
perception. On 17.12.2017 at 9.30 A.M. the petitioner alongwith
others abused and asked the complainant either to execute the



property in his favour or give Rs. 25,00,000/- otherwise ready to face with dire consequences. The petitioner took Rs. 2,000/- from the pocket of the complainant.

It has been submitted by learned counsel for the petitioner that the petitioner has falsely been implicated in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner is agnate of the complainant. There is a civil proceeding pending in the court below vide Annexure-2. A partition was made between the parties during the life time of father of the petitioner and the complainant. The said partition is being disputed. In respect to which, a suit has also been filed before the court below. The matter relates to a civil dispute.

On behalf of the learned counsels for the State and opposite party no. 2, it has been submitted that the petitioner is named in the F.I.R/ complaint case.

Considering the aforesaid facts and circumstances, let the petitioner above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-VIth, Patna City,



Patna, in connection with Complaint Case No. 1285 of 2017,
subject to the conditions as laid down under Section 438(2) of the
Code of Criminal Procedure.

U.K./-

(Sudhir Singh, J)

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