

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62673 of 2017

Arising Out of PS.Case No. -74 Year- 2016 Thana -HABIBPUR District- BHAGALPUR

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Sunil Shekhar, S/o Yudhishtir Mandal, Resident of Mohalla- Salehpur,
P.S.- Habibpur, District- Bhagalpur.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar @ S.K.

For the Opposite Party/s : Mr. Sri Arun Kumar Singh -5

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 04-01-2018

Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

This is an application for grant of anticipatory bail in
connection with Habibpur PS case no. 74 of 2016 registered for the
offences punishable under Sections 406, 386 and other sections of
Indian Penal Code.

The allegation, according to the complainant, is that co-
accused person namely Surendra Kumar @ Sonu had got a sale deed
registered in favour of the complainant and the petitioner herein was a
witness in the said sale deed. It has been further alleged by the
complainant that after he had got the mutation done and also
constructed the boundary wall, he received information that co-accused
person namely Surendra Kumar @ Sonu had demolished the boundary
wall and when he went there to again construct the boundary wall then



the said Surendra Kumar @ Sonu and other accused persons started demanding money from him for granting of permission to construct the boundary wall.

The learned counsel for the petitioner submits that there is no specific allegation against the petitioner herein and infact, the allegation whatsoever, has been leveled against the co-accused person namely Surendra Kumar @ Sonu. It is further submitted that though the petitioner is an accused in nine other cases however, the said cases arise out of the same incident.

Having regard to the facts and circumstances of the case as also the admitted position that there is no specific allegation against the petitioner herein, I deem it fit and appropriate to admit the petitioner to the privilege of anticipatory bail, in the event of his arrest or surrender before the court below within a period of six weeks from the date of receipt/ production of a copy of this order on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of Addl. Chief Judicial Magistrate-XII, Bhagalpur in connection with Habibpur PS case no. 74 of 2016 subject to the conditions as laid down under Section 438(2) of Code of Criminal Procedure.

(Mohit Kumar Shah, J.)

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