

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27022 of 2018

Arising Out of PS. Case No.-241 Year-2013 Thana- MADHUBANI TOWN District-
Madhubani

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Budh Prakash @ Prakash Kumar, Son of Kameshwar Ram, Resident of
Village-Pirojgarh, P.S.-Ghoghardiha, District-Madhubani.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Jha
For the Opposite Party/s : Mr. Anil Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 03-05-2018

Heard learned counsels for the petitioner and State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 384, 353 and 506 of the IPC.

The prosecution case, as per the written report of Suman Kumari, being the Headmistress of the Government Ambedkar Residential-cum-Girls High School, Madhubani, submitted to the Station House Officer, Madhubani Town Police Station is to the effect that on 29.08.2013 at 8-9 AM, while the informant was teaching in the school, in the meantime, the petitioner Budh Prakash came along with 4-5 other persons to the office of the informant and asked her the reason for not selecting his daughter for admission. The informant tried to explain him the



reason for not admitting his daughter, thereafter, the petitioner demanded Rs. 5,000/- per month from the informant as extortion.

It is submitted by learned counsel for the petitioner that maliciously, the accusation has been levelled against the petitioner. In fact, the petitioner is demanding certain information under the R.T.I., from the informant since 2003, but since the same was not being supplied, the petitioner filed an appeal which is pending before State Information Commission. Moreover, for the occurrence of 29.08.2013, the FIR was lodged on 02.09.2013. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP submits that the accusation is specific against the petitioner.

Considering the delayed lodging of the case and the fact that there is some dispute with regard to supply of information, for which the petitioner filed compliant under RTI Act against the informant, let the above named petitioner be released on anticipatory bail in the event of arrest/surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (ten



thousand) with two sureties of like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Madhubani in connection with Madhubani Town P.S. Case No.241 of 2013, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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