

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.278 of 2019

Arising Out of PS. Case No.-376 Year-2018 Thana- DURGAWATI District- Kaimur (Bhabua)

Sunny Kumar @ Sanny Kumar Son of Chandra Shekhar Prasad, Resident of Village- Jahangirpur, Near- Shiv Mandir, Ward No. 02, Police Station- Sonepur, District- Saran. At present- Excise Constable, Excise Department, Bhabua, Police Station- Bhabua, District- Kaimur Bhabua.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumar Sunil

For the Opposite Party/s : Mr. Nityanand

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 16-04-2019 This is an application for grant of anticipatory bail in connection with Durgawati P.S. Case No. 376 of 2018, disclosing offences under Sections 120(B), 379, 384, 385, 411 of the Indian Penal Code.

Allegation as per F.I.R. is that while the informant and other persons were coming by an Alto vehicle, they were intercepted by the police officials and tested by breath analyzer and thereafter Rs.20,000/- was demanded by the Inspector and driver and on condition that they will pay the aforesaid amount, thereafter Rs.2600/- and a mobile taken by then and the informant and others left thereafter. Then thereafter they made a complaint before the S.D.P.O. and again before S.H.O. Durgawati and thereafter the said Bolero was searched by the



police and the mobile was recovered from the vehicle.

Submission of learned counsel for the petitioner is that he was a constable and the F.I.R. itself shows that the demand was made by the Inspector and driver and the F.I.R. further shows that the constables are innocent.

Heard learned A.P.P. also.

Having heard both sides, considering the above submission, this application is allowed. Let the petitioner, above named, in the event of his arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Kaimur (Bhabhua), in connection with Durgawati P.S. Case No. 376 of 2018, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure.

(Vinod Kumar Sinha, J)

Amjad/-

U		T	
---	--	---	--

