

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5874 of 2019

Arising Out of PS. Case No.-117 Year-2018 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

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Gorika Das, son of Ayodhya Das, resident of Village - Mohanpur, P.S.-
Muffasil, Distt.- Samastipur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Mukesh Kumar No1

For the Opposite Party/s : Mr.Braj Kishore Pd.(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 04-02-2019 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

The petitioner is languishing in custody since
08.10.2018 in connection with Muffasil P.S. Case No.117 of 2018
registered for the offences punishable under Sections 147, 148,
149, 379, 387, 427, 448, 504 and 506 of the Indian Penal Code.

Prosecution case as per the written report of Prakash
Kumar submitted to S.H.O. Muffasil Police Station Samastipur is
to the effect that on 3.3.2018 at 1.20 P.M., all the four accused
persons including the petitioner came to the house of the informant
and demanded extortion of Rs.2 lac. They put pistol on temporal
region and took away the hand back containing jewellery of the
wife of the informant worth Rs.2,50,000/-. It is alleged that co-
accused, Bipin Mahto, pointed pistol on the informant's temporal



region when co-accused, Sonu Mahto, threw the T.V. on ground and thereafter the petitioner took away Rs.10,000/- from the pocket of the informant.

It is submitted by learned counsel for the petitioner that the only on the basis of suspicion, the accusation has been levelled. The informant is in litigating terms with the petitioner and in the background of land dispute, accusation has been levelled. It is further submitted that the petitioner is not having criminal antecedent, as statement to that effect has been made in para 3 of the bail petition.

Learned A.P.P. vehemently opposes the prayer for bail and submits that the petitioner has been named in the F.I.R.

Considering the fact that the investigation has already been concluded and co-accused person, Bipat Das has already been granted bail by a Co-ordinate Bench of this Court vide order dated 26.10.2018 passed in Cr. Misc. No.56366 of 2018, let the above named petitioner be enlarged on bail on furnishing bail bond of Rs.10000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of A.C.J.M.-V, Samastipur in connection with Muffasil P.S. Case No.117 of 2018.

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(Dinesh Kumar Singh, J)

