

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16334 of 2019

Arising Out of PS. Case No.-698 Year-2018 Thana- BETTIAH CITY District- West
Champaran

VIKASH KUMAR MAHTO S/o Raj Kishore Mahto R/o Village - Barwat
Pasrain, P.S.- Bettiah Muffasil, District - West Champaran.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey

For the Opposite Party/s : Mr.Lakshmi Kant Sharma

**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN
SINGH**

ORAL ORDER

2 15-03-2019

Heard learned counsel for the parties.

This application for anticipatory bail arises out of Bettiah Town P.S. Case No. 698 of 2018 for the offence under Section 387 of the Indian Penal Code and Section 27 of the Arms Act.

Learned counsel appearing on behalf of the petitioner has submitted that even if what has been alleged in the First Information Report is treated to be correct in the absence of any allegation of extortion, no offence under Section 387 of the Indian Penal Code can be said to be made out.

On perusal of the First Information Report, I find substance in submission so advanced. The petitioner's name has transpired on the basis of confessional statement of a co-accused. Learned counsel appearing on behalf of the petitioner



has submitted that on the basis of the statement of the co-accused before the police, petitioner has been implicated in two other cases also, details of which have been given in paragraph 3 of this application.

Considering the facts and circumstances, this application is allowed.

Let the petitioner above named, in the event of his arrest/surrender within six weeks from today in the Court below, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Bettiah, West Champaran, in Bettiah Town P.S. Case No. 698 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the Police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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