

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46962 of 2019

Arising Out of PS. Case No.-128 Year-2016 Thana- DARBHANGA SADAR District-
Darbhanga

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VIJAY CHANDRA MAHATO @ VIJAY MAHTO (M), aged about 35 years, Son of Ramchandra Mahto Resident of Village - Gehumi, Ward no.8, Near Primary School, Gehumi, P.S.- Darbhanga Sadar, (Mabbi O.P.), Dist.- Darbhanga.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Devendra Kumar, Advocate

For the Opposite Party/s : Mr.Syed Ehteshamuddin, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 15-10-2019 Heard learned counsel for the petitioner and

learned Additional Public Prosecutor for the State.

The petitioner is seeking anticipatory bail in connection with Darbhanga Sadar (Mabbi O.P.) P.S. Case No. 128/2016 registered under Sections 384, 386, 387 of the Indian Penal Code.

The allegation against the petitioner is that he had given a telephonic call to the informant on his mobile number and had asked for the Rangdari of Rs. 5,00,000/-. Learned counsel for the petitioner submits that this is a case of false implication. In this regard statements have been made in paragraph '8' of the application submitting that the



informant is a P.D.S. dealer and because this petitioner had made a complaint against him, acting on his complaint the authorities had placed the informant under suspension. It is for this reason the present case has been lodged. It is further submitted that in Darbhanga P.S. Case No. 81/2006 the petitioner has already been acquitted by the learned trial court and there is no other case pending against the petitioner.

Learned A.P.P. has though opposed the prayer for anticipatory bail of the petitioner, considering the facts and circumstances whereunder save and except the allegation of the informant that the petitioner had asked for Rangdari of Rs. 5,00,000/- no other material has been brought on record to show that the said allegation has been substantiated, let the above-named petitioner, at this stage, in the event of his arrest/surrender before the court below within a period of four weeks, be enlarged on bail furnishing bail bond of Rs. 15,000/- (Rupees Fifteen Thousand only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Darbhanga, in connection with Darbhanga Sadar (Mabbi O.P.) P.S. Case No.



128/2016, subject to condition prescribed under Section
438(2) of the Code of Criminal Procedure.

(Rajeev Ranjan Prasad, J)

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