

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80195 of 2018

Arising Out of PS. Case No.-328 Year-2018 Thana- BANIAPUR District- Saran

Arvind Singh @ Arvind Kumar S/o Lal Babu Singh, R/o-Bhakhura, P.O. Ichuhapur, P.S. Baniyapur, District- Saran Bihar- 841443

... .. Petitioner/s

Versus

1. State Of Bihar
2. Neeraj Kumar, S/o Suresh Chandra, Ratnipur, P.S. Ajitmal, District- Auraiya, Uttar Pradesh

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nagadeo Choubey

For the Opposite Party/s : Mr.Smt. Anita Kumari

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 28-02-2019 This application, for grant of anticipatory bail, arises out of Baniyapur P.S. Case No. 328 of 2018, disclosing offences under Sections 342, 323, 325, 365, 386, 420, 467, 468 and 471 of the Indian Penal Code.

Allegation as per F.I.R. is that while the informant was coming from Auraiya, Uttar Pradesh, accused persons impersonating themselves to be police officials stopped him and the persons accompanying with the informant and took them to a garage and assaulted them and demanded Rs. 1.5 lakhs and forcibly took away two cows and calf from the truck of the informant. Further, they took Rs. 17,000/- from the informant by threatening him to send jail and also withdrawn the money of Rs. 10,000/- from his A.T.M.

Submission of learned counsel for the petitioner is that he



has falsely been made accused in this case only on the basis of disclosure made by the driver of the vehicle and except that there is nothing against the petitioner and no recovery has been made from the petitioner, whereas, the accused persons from whom, the cows and calf were recovered have been granted bail by the court of learned Chief Judicial Magistrate.

Heard learned A.P.P. also.

Having heard both sides, considering the facts and circumstances of the case, I am not inclined to grant the privilege of anticipatory bail to the petitioner rather this application is disposed of with direction to the petitioner to surrender before the Court below within a period of six weeks and pray for regular bail and if any such application is filed, the court below shall dispose of the same on the basis of materials available on record as well as on the basis of above submission of learned counsel for the petitioner, if possible on same day, without being prejudiced by the order of this Court.

(Vinod Kumar Sinha, J)

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