

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54419 of 2018

Arising Out of PS. Case No.-245 Year-2013 Thana- SUPAUL District- Supaul

Md. Yusuf, Son of Md. Matin @ Matto, Resident of Village- Chakla, P.S. +
District- Supaul. Petitioner/s

Versus

The State Of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amar Nath Yadav

For the Opposite Party/s : Mr.Sri Satyadev Prasad Singh Yadav

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

5 04-04-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 341, 323, 353, 384 and 504 of the Indian Penal Code.

The prosecution case, as per the written report of Md. Afroj Alam submitted to the Station House Officer of Supaul Police Station, is to the effect that on 09.06.2013 at 10.30 A.M., the petitioner along with the other co-accused persons came to the school of the informant and started abusing and dragged him near his house and tied his hands in a pillar and assaulted him badly and demanded extortion amount of Rs. 40,000 and threatened him. On alarm being raised, the villagers assembled there then the informant was saved and was taken to his house.



It is submitted by learned counsel for the petitioner that for the occurrence of 09.06.2013, the FIR was registered on 12.06.2013. No motive for the occurrence has been alleged in the written report. The impugned order suggests that only a laceration has been found on the right arm of the informant which demolishes the accusation of informant being brutally assaulted by the petitioner and other co-accused persons.

Considering the fact that earlier anticipatory bail application of the petitioner was dismissed as withdrawn vide order dated 16.01.2014 passed in Cr. Misc. No. 51841 of 2013, since there is fresh ground for renewing the prayer this Court is not inclined to entertain the present anticipatory bail application.

However, in view of the nature of accusation not being corroborated by medical opinion, it is a case for consideration of prayer for regular bail by the learned Court below, if the petitioner surrenders within a period of six weeks from today in connection with Supaul P.S. Case No. 245 of 2013, pending in the Court of learned Judicial Magistrate, Ist Class, Supaul.

Accordingly, this application is disposed of.

(Dinesh Kumar Singh, J)

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