

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53940 of 2023

Arising Out of PS. Case No.-79 Year-2019 Thana- BUXAR District- Buxar

Om Prakash Pathak Son Of Surendra Pathak Resident Of Village-
Charitravan, Ps- Buxar Town, Dist- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Narain Sinha

For the Opposite Party/s : Mr. Ajit Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 31-08-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 341, 323, 353, 386, 504, 506 of the Indian Penal Code.

3. Allegation against the petitioner is of demanding rangdari of Rs. 10 Lakh from the Government servant i.e. Junior Engineer in the department of B.C.D.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. He submits that the police has not found the case true under the offences alleged in the FIR and the petitioner has been granted benefit of



Section 41A of the Cr.P.C. He further submits that the F.I.R. was lodged u/s 341, 323, 353, 386, 504, 306 of the I.P.C. and the learned Court below took cognizance u/s 341, 323, 504, 353 of I.P.C.. He also submits that the learned Court below has not taken cognizance u/s 386 of the I.P.C. against the petitioner. Petitioner has one criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposes prayer for anticipatory bail.

6. Considering the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Buxar Town P.S. Case No. 79 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

anand/-

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