

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 58764 of 2022**

Arising Out of PS. Case No.-208 Year-2019 Thana- MUNGER COMPLAINT CASE
District- Munger

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SAWAN KUMAR @ SAAWAN KUMAR Son of Ramarup Mandal Resident
of Village- Sarswati Nagar, P.S.- Bariyarpur, District- Munger

... .. Petitioner/s

Versus

1. The State of Bihar BIHAR
2. DINESH MANDAL Son of Balmiki Mandal Resident of Village- Asha Tola,
P.S.- Bariyarpur, District- Munger

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Jyoti Ranjan Jha

For the Opposite Party/s : Mr.Zainul Abedin

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

4 14-03-2023 Heard learned counsel for the petitioner and the

State.

Petitioner apprehends arrest in a case registered for
the offence punishable under Sections 323, 384, 379/34 of the
IPC.

As per the prosecution case, this petitioner, along with
other accused persons, forcibly took away the e-rickshaw of the
complainant by showing pistol and fled away.

It is submitted on behalf of the petitioner that he has
falsely been implicated in this case. As a matter of fact,
complaint petition has been filed after a lapse of more than one
month of the alleged occurrence and there is no explanation as



to why complaint has been filed after delay of one month. Petitioner has got no concern with the alleged occurrence and till date, neither any money or e-rickshaw was recovered from the possession of the petitioner.

Learned counsel appearing for the complainant vehemently opposes the prayer for bail and submitted that there is specific and direct allegation against the petitioner of extortion and taking away the e-rickshaw from the complainant.

Considering the nature of dispute and the delay in lodging the complaint, in the event of arrest/surrender within six weeks from today, let the petitioner, above named, 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 learned SDJM, Munger in connection with Complaint Case No. 208C/2019 subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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