

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16162 of 2015

Arising Out of PS.Case No. -119 Year- 2014 Thana -SAHARSA District- SAHARSA

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1. Suresh Yadav son of Late Soti Yadav
 2. Golu Yadav, son of Shankar Yadav,
Both are resident of Panchwati Chowk, Ward No. 17, P.S. & District- Saharsa
 3. Laxman Bhagat @ Laxman Kumar @ Laxman Sah, son of Dashrath Sah, resident of village- Mohanpur, P.S.- Chautham, District- Khagaria, at present residing at Sandip Jaiswal lane, Gangjala, P.S. & District- Saharsa
 4. Shrawan Paswan, son of Bimal Paswan, resident of village- Barsam, P.S.- Saurbajar, District- Saharsa

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Ashok Kumar Mishra

For the Opposite Party/s : Mr. P.K.Choursiya (App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 02-07-2015 Learned counsel for the petitioners submitted that

petitioner no. 2 Golu Yadav has already been arrested.

Accordingly, the Anticipatory Bail Petition of the

petitioner no. 2 is dismissed as it has become infructuous.

Heard both sides.

The petitioner nos. 1, 3 and 4, namely, Suresh Yadav,

Laxman Bhagat @ Laxman Kumar @ Laxman Sah and Shrawan

Paswan apprehend their arrest in a case under Section 384 and

other sections of the Indian Penal Code.

The informant made allegation that the petitioners

came at the bus stop and demanded extortion. It is alleged that

Shrawan Paswan (petitioner no. 4) took out Rs. 75,000/- from the chest of the informant. The accused persons were armed with firearms. It is submitted that Shrawan Paswan filed Saharsa SC/ST P.S. Case No. 3/14 on 13.02.2014 against Neeraj Kumar Bablu, the present MLA, and others under Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act as he has alleged that Neeraj Kumar Bablu abused him by naming his caste while he was taking eggs. It is submitted that the informant is a man of the MLA and, at his instance, the present case is lodged, but it appears that there is nothing to show close proximity of the informant with the MLA Neeraj Kumar Bablu. The informant alleged that the petitioners came at the bus stop having arms in their hands and demanded extortion of one lakh per month and also snatched money.

Considering the facts aforesaid, I am not inclined to enlarge the above named petitioner nos. 1, 3 & 4 on anticipatory bail in Saharsa P.S. Case No. 119/2014. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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