

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52042 of 2014

Arising Out of PS.Case No. -328 Year- 2014 Thana -BEGUSARAI MUFFASIL District-
BEGUSARAI

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1. Shambhu Paswan @ Shambhu Deva @ Shambhu Mahadeva Son of Late Chandrachur Deva
2. Bhola Rajak, Son of Rameshwar Rajak, Both residents of Village- Ulaw, P.S. Muffasil (Singhoul), District- Begusarai

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jai Prakash Singh

For the Opposite Party/s : Mr. S.D.Singh Yadav(App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

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07-05-2015

The petitioners are apprehending his arrest in connection with Muffasil P.S.Case No. 328/2014 instituted under Sections 147, 342, 323, 427, 384, 386,504 and 506 of the Indian Penal Code.

Heard learned counsel for the petitioners and the State.

The prosecution story, in brief, is that on 1.9.2014 at about 9 P.M., the petitioners and one Ashok Chaturvedi along with 3 to 4 unknown persons entered into the premises of Mount Litra School and started breaking the school articles. They also abused the security guard. When the informant came there they threatened to him and demanded rangdari of rupees five lacks. Thereafter under pressure he has given Rs. 5 lacs to accused

Ashok Chaturvedi.

It has been submitted on behalf of the petitioners that petitioner no.1 is the own uncle of the informant. The dispute between the informant and the petition is in respect to the property. Further it has been submitted that petitioner no.2 is the Manager of petitioner no.1. It is also submitted that the informant is in habit of filing such cases.

On behalf of the State and the informant, it has been submitted that petitioner no.1 has criminal antecedent, which is apparent from para 3 of the present application. So far petitioner no.2 is concerned, he has no criminal antecedent.

Considering the aforesaid, I am not inclined to grant anticipatory bail to petitioner no.1. The prayer for anticipatory bail of petitioner no.1 stands rejected.

However, if petitioner no.1 surrenders in the court below within a period of six weeks and seek regular bail, the same shall be considered on its own merit without being prejudiced by this order of rejection.

Let petitioner no.2, Bhola Rajak, in the event of his arrest or surrender in the court below within a period of four weeks, 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 C.J.M., Begusarai in connection with
Muffasil P.S.Case No. 328/2014, subject to the conditions as laid
down u/s 438(2) Cr.P.C.

(Sudhir Singh, J)

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