

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34039 of 2015

Arising Out of PS.Case No. -199 Year- 2015 Thana -KATIHAR District- KATIHAR

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1. Amresh Kumar Choudhary Son of Nagendra Choudhary
 2. Rajesh Sah @ Rajesh Kr. Sah Son of Vishwanath Sah
Both are Resident of Mohalla - Maithili Tola, Mirchaibadi, P.S. Katihar,
District - Katihar
 3. Amit Kumar Rajak Son of Deo Narayan Rajak
Resident of Mohalla - Katihar Block Campus, P.S. Katihar, District -
Katihar
 4. Ashish Kumar Singh Son of Kripa Shankar Singh
Resident of Mohalla - Katihar Jail Gate, P.S. Katihar, District - Katihar
- Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raghwendra Kumar, Advocate

For the Opposite Party/s : Mr. Iftekhar Mahmood(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 25-08-2015 Heard learned counsels for the petitioners and the

State.

The petitioners are apprehending arrest in a case
registered for the offences punishable under Sections 341, 323,
384, 504/34 of the Indian Penal Code.

It is alleged that petitioner no.1 Amresh Kumar
Choudhary called the informant and asked to open the shop on
being refused all the petitioners along with 5-7 others assaulted
the informant and demanded extortion of Rs.50,000/- whereas
petitioner no.2 Rajesh Sah pointed pistol and petitioner no.4
Ashish Kumar Singh snatched golden chain and took away

Rs.2,10,000/- from the cash box of the shop of the informant.

It is submitted by learned counsel for the petitioners that for a petty dispute the accusation has been levelled and for the occurrence of 07.04.2015 10.00 pm, the FIR was registered on 08.04.2015 at 11.00 pm. Moreover, a statement has been made in paragraph 3 of the petition that the petitioners have no criminal antecedent.

Considering the accusation only specific against petitioner no.4 Ashish Kumar Singh, let the learned Court below consider the prayer for regular bail of the petitioner no.4, if he surrenders within a period of six weeks.

Accordingly, this application, so far as it relates to petitioner no.4, Ashish Kumar Singh is, accordingly, disposed off.

So far as petitioner nos. 1 to 3 are concerned, since the accusation is not specific against them and moreover, they have no criminal statement, let them be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Katihar in connection with Katihar Nagar (S) P.S.

Case No.199 of 2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Ashwini/-

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(Dinesh Kumar Singh, J)