

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.25964 of 2015**

Arising Out of PS.Case No. -388 Year- 2014 Thana -SONEPUR District- SARAN

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1. Manoj Rai  
2. Sanjeet Rai  
3. Raju Rai @ Raju Kumar @ Raja Rai  
4. Sonu Rai @ Sonu Kumar, All Sons of Chulhan Rai  
5. Pappu Mahto, S/o Ram Prit Mahto All of village Pahaleza Shahpur  
Diyara, P.S. Sonepur, District- Saran.  
6. Subodh Kumar @ Subodh Rai, S/o. Awadhesh Rai  
7. Vikash Rai, S/o Kamal Rai Both of village Nakata Diyara, P.S. Digha,  
District Patna.

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Bal Mukund Prasad Sinha

For the Opposite Party/s : Mr. Abhay Kumar No. 1 (App)

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2      17-07-2015      Learned counsel for the petitioners seeks permission to  
  
withdraw the application on behalf of petitioner nos. 1, 5 and 6  
(Manoj Rai, Pappu Mahto and Subodh Kumar @ Subodh Rai).

Permission accorded and the application is dismissed  
  
as withdrawn, so far petitioner nos. 1,5 and 6 are concerned.

Heard learned counsel for the petitioner nos. 2,3,4 and 7  
  
(Sanjeet Rai, Raju Rai @ Raju Kumar @ Raja Rai, Sonu Rai @  
Sonu Kumar and Vikash Rai) and learned A.P.P. for the State.

The petitioners are apprehending their arrest in Sonepur  
  
P.S.Case No. 388/2014 registered under Section 386/34 of the

Indian Penal Code, pending in the Court of learned C.J.M., Saran at Chapra.

The informant has alleged that he deals in sand business. On 5.9.2014 when he was coming in a boat carrying sand in the river Ganga, all the accused persons armed with rifle, gun, katta etc. surrounded his boat near Railway Bridge lying in Chhitar Chak Diyara and demanded Rs. 2000/- as an extortion from him. He refused to offer the money. Thereafter they abused and assaulted him and snatched the amount of Rs. 2000/-. It is further alleged that they threatened him to kill him and to destroy his boat if he fails to offer the said tax. It is also alleged that from Chowkidar upto Dy. S.P. the tax on them is fixed to offer the same.

It has been submitted on behalf of the petitioners that there is no specific allegation against them. It is further submitted that general and omnibus allegation has been made against all the petitioners.

On behalf of the State it is submitted that there is serious allegation against all the petitioners.

Considering the aforesaid facts, I am not inclined to grant anticipatory bail to petitioner nos. 2,3,4 and 7 and their prayer for anticipatory bail is rejected.

However, if the petitioner nos. 2,3,4 and 7 surrender in the court below within a period of four weeks and pray for regular bail, the same shall be considered on its own merit without being prejudiced by this order of rejection, preferably same may be disposed of on the same day.

**(Sudhir Singh, J)**

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