

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8698 of 2016

Arising Out of PS.Case No. -1 Year- 2016 Thana -JAMHORA District- AURANGABAD

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1. Dhan Jee Son of Prahalad Singh Resident of Village- Chitragopi, P.s
Jamhore, District Aurangabad.

2. Anup Singh son of Bagam Singh Resident of Village -Jokhari P.s
Jamhore, District Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramendra Kumar Singh

For the Opposite Party/s : Mr. R.N.Jha(App)

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 02-03-2016

Heard learned counsel for the petitioners and learned

A.P.P. for the State.

The petitioners apprehend arrest in connection with
Jamhore P.S. Case No. 01 of 2016 for offences alleged under
Sections 379, 384, 386, 504/34 of the Indian Penal Code.

The prosecution case is that the informant is driver of
a 407 Tata Vehicle and on 01.01.2016 at about 4.25 P.M. after
loading rice from Bishnu Rice Mills was proceeding towards
Sherghati and near village- Chitragopi, he was stopped by three
persons who began to abuse him and demanded Rs. 5,000/- for
eating and drinking. The driver informed one Vijay Kumar Singh
and the three persons also began to hurl abuses at him and said
that if he wants to ply his vehicle then he will have to pay rangdari
of Rs. 10,000/- per month. One of the persons took out six bags of
rice each containing 25 kgs from the truck. When Vijay Kumar

Singh came and wanted to know the identity of the accused persons they revealed their names as Dhan Jee, son of Prahlad Singh, Avinash Singh @ Chhotu, son of Bhola Singh and Anuj Singh, Son of Bagam Singh.

It has been submitted by the learned counsel for the petitioners that they are innocent having committed no offence and have clean criminal history. It has further been submitted that they are petty farmers and the mill owner Vijay Kumar Singh had taken paddy from them but did not pay the price hence they had stopped the vehicle and demanded their money which resulted in exchange of hot words. But the occurrence as alleged in the FIR had never taken place. However learned A.P.P. for the State opposes the prayer for bail and it is submitted that they are named in the F.I.R.

Be that as it may, let the above named, petitioners, in the event of their arrest/surrender before the court below within a period of 8 weeks from today be released on bail on furnishing bail bond of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Aurangabad in connection with Jamhore P.S. Case No. 01 of 2016 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Nilu Agrawal, J)

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