

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18931 of 2017

Arising Out of PS.Case No. -76 Year- 2017 Thana -SAHARSA District- SAHARSA

- =====
1. Ram Bahadur Yadav, Son of Late Mahabir Yadav.
 2. Kamleshwari Yadav, Son of Late Ramphal Yadav, Both Residents of Kahra, Ward No. 06, Police Station Saharsa, District- Saharsa.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satish Kumar Singh

For the Opposite Party/s : Smt. Pushpa Sinha

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 22-05-2017 Heard the learned counsel for the petitioners, the learned A.P.P. for the State as also the learned counsel for the Informant.

In this application for anticipatory bail the petitioners apprehend their arrest in connection with Saharsa Sadar P.S. Case No. 76 of 2017 for the offences punishable under sections 341, 323, 384, 379, 504, 506 and 34 of the I.P.C.

Allegedly, the petitioners along with other co-accused went at the work site of the informant, demanded ransom and got stopped the work causing threats to kill. On the order of petitioner no.2 the accused persons started abusing and assaulting the informant and petitioner no.1 took out Rs. 50,000/- from the pocket of the informant and caused threats not to start the work.

Submission is of false implication and that due to the



land dispute the case has been lodged, Sanha was also lodged earlier on behalf of the petitioners stating therein that the informant may implicate falsely, Title Appeal is going on and as such the petitioners deserve sympathetic consideration.

The learned A.P.P. duly assisted by the learned counsel for the informant opposes prayer for pre-arrest bail of the petitioners by submitting that there is another case also under section 307 of the I.P.C. The petitioners are veteran criminals and as such they do not deserve anticipatory bail.

In the facts and circumstances as stated above, considering the allegation attributed against the petitioners, I am not inclined to grant privilege of pre-arrest bail to them and accordingly their such prayer stands rejected in connection with the aforementioned case pending in the court of C.J.M. Saharsa.

However, in case and if so advised, the petitioners surrender and seek regular bail then their prayer for regular bail shall be considered on its own merits without being prejudiced by this order, preferably on the same day.

(Jitendra Mohan Sharma, J)

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