

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4883 of 2017

Arising Out of PS.Case No. -230 Year- 2016 Thana -ROSERA District- SAMASTIPUR

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1. Akwar Sah @ Md. Akwar Sah
2. Nousad Sah @ Nousad
3. Lalaha Sah @ Lulaha Sah, All son of SamsurSah @ ShamshuSah, All
Resident of Village- Pura, P.S.- Hathauri, District- Samastipur, Bihar.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vinay Kumar Mishra, Advocate

For the Opposite Party/s : Mr. Bharat Lal, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 15-02-2017 This is an application for grant of anticipatory bail
for offences punishable under Sections of the Indian Penal Code.

Heard learned counsel for the petitioners.

It has been submitted on behalf of the petitioners that,
as per prosecution, the occurrence took place due to demand of
extortion money by the petitioners from the informant. Both are
co-villagers and petitioners have been falsely implicated in the
present case. Even if the allegation is accepted to be true for the
sake of argument, the injuries are simple in nature.

Heard learned A.P.P. also.

Heard both sides. From perusal of the F.I.R it appears
that the occurrence started due to demand of extortion money by



petitioner no. 1 and there is allegation of assault against petitioner no. 1. So far anticipatory bail of petitioner no. 1 is concerned, I am not inclined to grant anticipatory bail to the petitioner, the same is rejected.

So far petitioners no. 2 and 3 are concerned, as there is allegation of assault but injuries are found to be simple in nature, let above named petitioners no. 2 and 3 , in the event of arrest or surrender within a period of six weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty-five thousand only) each with two sureties of the like amount each to the satisfaction of learned Addl. Chief Judicial Magistrate, Rosera, Samastipur, in connection with Rosera P.S. Case no. 230 of 2016 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure. There are other conditions also that bailors should be local having sufficient property within the jurisdiction of the court concerned and petitioners shall cooperate in the investigation and make themselves available before the police as and when required.

(Vinod Kumar Sinha, J)

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