

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13650 of 2017

Arising Out of PS.Case No. -1339 Year- 2016 Thana -SASARAM NAGAR District- SASARAM
(ROHTAS)

- =====
1. Santosh Kumar S/O Algu Singh, Resident of Mohalla- Alamganj, Naua Gali, Rented house of Lalu Singh, P.S. Sasaram (T), District- Rohtas.
 2. Dimpal Kumar S/O Algu Singh, Resident of Mohalla- Pratapganj, P.S. Sasaram (T), District- Rohtas.
 3. Pankaj Kumar
 4. Dipu Kumar. Both sons of Algu Singh, Resident of Village- Karup, P.S. Sheosagar, District- Rohtas.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwari

For the Opposite Party/s : Md. Fahimuddin

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 19-05-2017 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 Sasaram (Town) P.S. Case No. 1339 of 2016 for the offences punishable under sections 341, 323, 448, 504, 506 and 384/34 of the I.P.C.

Allegedly, the petitioners assaulted Piyush Kumar and after pointing out pistol told that as the demand was made from Chandreshwar Prasad but that has not been fulfilled resulting all will be killed. Earlier Pankaj Kumar has demanded the land of the



share of Chandreshwar Prasad and also Rs. 2,00,000/- as ransom after making phone call.

Submission is of false implication and that due to the land dispute the aforesaid case has been registered, Title Suit No. 539 of 2012 is going on in the court of Sub. Judge-1st, Sasaram, Rohtas and to put pressure this case has been lodged, in the FIR mobile number of Pankaj Kumar has not been given from which the alleged ransom was demanded and this falsifies the statement of the informant, during investigation no independent witness has come forward and all the witnesses examined are own relatives of the informant and again another case has been lodged against the petitioners 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 the petitioners are creating trouble in the peaceful life of the informant, after taking drink they are abusing and assaulting the family members of the informant due to non fulfillment of demand of ransom. The learned counsel for the informant is not in a position to say as to why mobile number of Pankanj Kumar has not been given in the FIR from which the alleged ransom was demanded.



In the facts and circumstances as stated above, the petitioners, in case of their arrest or surrender within four weeks from the date of receipt/production of a copy of this order shall be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of. C.J.M. Rohtas at Sasaram in connection with above mentioned case, subject to the conditions as laid down in section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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