

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.72289 of 2018**

Arising Out of PS. Case No.-268 Year-2018 Thana- KHAGARIA District- Khagaria

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1. Dharambir Sada, Son of Gabdu Sada,
  2. Rikki Chand Sada, Son of Shyam Sundar Sada,
  3. Prahalad Sada, Son of Ganeshi Sada, All resident of Village-  
Bhagwanchak, P.S.- Gangaur, District- Khagaria.

... .. Petitioners

Versus

The State of Bihar.

... .. Opposite Party

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**Appearance :**

For the Petitioners : Mr. Ram Sumiran Rai, Advocate.  
For the Opposite Party : Mr. Ram Bilash Roy Raman, A.P.P.

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

2      04-12-2018                      Heard learned counsel for the petitioners and learned  
A.P.P. for the State.

The petitioners are apprehending their arrest in a case  
for the offence registered under Sections 341, 323, 325, 307,  
504, 506 and 385/34 of the IPC.

The prosecution story, in brief, is that the informant  
runs Mobile Shop and Poultry Farm. On 04.05.2018 at about  
3.00 P.M., while he alongwith his younger brother and friend  
Deepak Kumar was at his Mobile Shop, the petitioners  
alongwith three unknown culprits armed with pistol came there,  
abused him and demanded extortion Rs. 25,000/- and asked him



unless extortion is paid they would not allow him to run business and petitioner no. 1 Dharambir Sada assaulted on his mouth with butt of pistol. Out of fear, his brother gave Rs. 5,000/- to petitioner no. 2 Rikkichand Sada. It is further alleged that the accused persons took away 30 Hens worth Rs. 4500/-.

It has been submitted by learned counsel for the petitioners that the petitioners have got no criminal antecedent. The petitioners have falsely been implicated in the present case. There is no allegation of tampering with the witnesses alleged against the petitioners. It is case and counter case between the parties. Injury on the accused side has not been explained by the prosecution. The prosecution has not come with clean hands..

On behalf of the learned counsel for the State, it has been submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M. Khagaria, in connection with Khagaria (Gangaur) P.S. Case No. 268 of 2018, subject to the conditions as laid down under



Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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