

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6969 of 2019

Arising Out of PS. Case No.-275 Year-2018 Thana- GORAUL District- Vaishali

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1. Arvind Rai @ Verma, aged about 36 years, (male), Son of- Yogendra Prasad Yadav
 2. Sanjeet Rai, aged about 22 years (Male), Son of Yogendra Prasad
 3. Rambalak Rai, aged about 42 years, (Male), Son of-Late Harihar Rai
 4. Baidnath Rai, aged about 40 years (Male), Son of- Mahendra Rai, all are Resident of Village-Bhanppur, Barewa, P.S.-Goural, District-Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rakesh Prabhat

For the Opposite Party/s : Mr.Md. Iftekhar Mahmood

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 08-02-2019 Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 341, 323, 307, 379, 385, 387, 504 and 506/34 of the IPC.

The prosecution case, as per the written report of Brij Kumar, dated 25.08.2018, submitted to the Station House Officer, Goural Police Station, is to the effect that the informant, being a contractor was getting the panchayat building constructed, in the meantime, the petitioners and some unknown accused persons came and enquired about the contractor, whereupon the labourers indicated towards the informant, all the



accused persons including the petitioners surrounded the informant, when petitioner no.1, Arbind Rai demanded extortion and when the informant protested, then petitioner no.1, Arbind Rai pointed the pistol on the temporal region of the informant and gave him life threat. It is further alleged that petitioner no.1, Arbind Rai took away Rs. 10,000/- from the pocket of the informant and also resorted to fire, damaging the looking glass of his car.

It is submitted by learned counsel for the petitioners that no injury has been caused to the informant. A statement has been made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent. It is further submitted that the informant has retracted from his initial version and a petition to that effect has been filed before the learned Court below, which has been brought on record as Annexure-2.

Learned APP submits that accusation against the petitioners is specific.

Considering the retracted version of the informant coupled with the statement made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent, let the above named petitioners be released on anticipatory bail in the event of arrest/surrender before the



learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Vaishali at Hajipur in connection with Goural P.S. Case No. 275 of 2018, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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