

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47874 of 2019

Arising Out of PS. Case No.-149 Year-2014 Thana- MAHESI District- East Champaran

SAROJ RAI Son of Vidyanand Pd. Ray Resident of Village- Lahladpur, P.S.-
Madhuban, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Singh
For the Opposite Party/s : Mr.Nagendra Prasad

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 01-08-2019 Heard learned counsels for the petitioner and the
State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 341, 323, 307, 384, 386, 387, 504 and 506/34 of the IPC.

The prosecution case, as per the written report of Jaishankar Ray, dated 11.08.2014 submitted to the Station House Officer, Mehsi Police Station, is to the effect that the informant is a contractor and a bridge on Budhi Gandak river at Kataha is being constructed by his clerk Dinesh Prasad Singh. It is alleged that on 10.08.2014 at about 11 P.M., the petitioner, Saroj Rai and co-accused Pramod Rai and Baiju Rai and 4-5 unknown persons came and demanded extortion of Rs. 10 lacs. All the accused persons including the petitioner also assaulted



the labourers.

It is submitted by learned counsel for the petitioner that in fact the petitioner and others were protesting for non-payment of compensation of the land on which the construction was going on after due acquisition. It is further submitted that there is no injury report of the informant's side on record and the informant has subsequently retracted from his initial version and filed a petition to that effect before the learned Court below. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP submits that the petitioner is named in the FIR with specific accusation.

Considering the fact that accusation of assault is not being corroborated by the medical opinion and the retracted version of the informant, coupled with the statement made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner 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) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, East



Champaran at Motihari in connection with Mehshi P.S. Case No.
149 of 2014, 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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