

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51072 of 2019**

Arising Out of PS. Case No.-62 Year-2019 Thana- BHAGWANPUR District- Begusarai

BHOLA KUMAR Son of Yugeshwar Mahto Resident of Village- Badiya, Post
Office- Gara, Naula, Police Station- Bhagwanpur, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kundan Kumar

For the Opposite Party/s : Mr.Pradeep Narain Kumar

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 17-08-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Bhagwanpur P.S. Case No.62 of 2019 registered under Sections 341, 323, 307, 385, 506 and 504/34 of the Indian Penal Code, pending in the court of the Chief Judicial Magistrate, Begusarai, District-Begusarai.

The accusation is that the informant Surendra Kumar every day in the morning used to go at Delha Chaur with electric motor to irrigate the field on taking Rs.100/- per hour. On 20.03.2019 at about 08.00 A.M., when the informant was going to Baihar with the electric motor, in the way, Arvind Kumar and this petitioner gave threatening to the informant,



saying that why he used to take Rs.100/- per hour for irrigating the field while others used to take Rs.170/- per hour for the same and also asked the informant to pay Rs.10,000/- per month as ransom and in case of non-payment of the same, they gave threatening to the informant of dire consequences. On 26.03.2019, the informant had gone to Delha Baihar with electric motor and at about 07.30 P.M., when he was disconnecting the electric motor, at that time, this petitioner having danda in his hand and Arvind Kumar having spade in his hand along with three unknown, who were armed with danda, came and started to abuse to the informant and asked for payment of Rs.10,000/- to operate the electric motor. Thereafter, this petitioner ordered Arvind Kumar to kill the informant, whereupon this petitioner and three unknown caused assault to the informant through danda. When the informant raised alarm, Arvind Kumar caused blood oozing injury on the head of the informant through spade. On hearing the cry of the informant, his villagers Gopal Singh rushed there, then all fled away from there. Thereafter, the informant was rushed for treatment at Sadar Hospital, Begusarai, by his family members.

Having considered the facts and the circumstances of the case and the nature of allegation against the petitioner, I am



not inclined to grant anticipatory bail to the petitioner. Accordingly, the prayer of the petitioner for grant of anticipatory bail stands rejected. However, the petitioner is directed to surrender before the trial court within four weeks from today and pray for regular bail, which shall be considered by the trial court in accordance with law without being prejudiced by the order of this Court.

(Rajendra Kumar Mishra, J)

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