

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55733 of 2019

Arising Out of PS. Case No.-57 Year-2019 Thana- CHANPATIA District- West Champaran

RAJESH PATEL Son of Kishundev Patel Resident of Village- Lakhaura, P.S.-
Chanpatia, District- West Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Gupta

For the Opposite Party/s : Mr.Ashok Kumar Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 05-09-2019 Heard both sides.

The petitioner apprehends his arrest in Chanpatia P.S.
Case No.57 of 2019 registered under Sections 341, 323, 307,
324, 387, 379, 504, 147, 149 and 506 of the Indian Penal Code.

The informant alleged that after taking loan he purchased a tractor and his tractor was transporting clay from one place to another place. The informant further alleged that on 15.02.2019 while the informant was returning after unloading the soil the accused persons including the petitioner intercepted the brother of the informant. They demanded extortion and also abused him. The informant disclosed that he has no income to pay Rs.5,000/- per month as extortion on such, Heera Patel inflicted dagger blow and took out Rs.10,000/- from his possession. The accused persons also snatched his chain made



of gold and fled away with the motorcycle of the informant.

The learned counsel for the petitioner submits that no specific allegation is made against the petitioner. There is omnibus and general allegation but it appears that it is a case of demand of extortion and when the informant did not pay the extortion money, all the accused persons intercepted the informant and his brother and on refusal of payment of extortion, the informant was assaulted with knife.

Taking into consideration the facts aforesaid and nature of allegation made against the petitioner, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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