

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55212 of 2019

Arising Out of PS. Case No.-4 Year-2018 Thana- EKMA District- Saran

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BIRENDRA SINGH @ UDHARI SINGH S/o Late Ramdeo Rai R/o village-
Bhuily, P.S.- Ekma, District- Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Lakshmi Kant Sharma

For the Opposite Party/s : Mr.Umesh Lal Verma

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 03-09-2019 Heard both sides.

The petitioner apprehends his arrest in Ekma P.S.
Case No.04 of 2018 registered under Sections 147, 148, 149,
341, 323, 379, 385, 307 of the Indian Penal Code and under
section 27 of the Arms Act.

The informant alleged that while he was going to
Chapra, the accused persons including the petitioner surrounded
him and one Sumit Prakash @ Ranjan Singh demanded
extortion of Rs.5,000/- and he caught the collar of the informant
and assaulted the informant. On protest, Sumit Prakash made
firing. It is further alleged that the co-villagers Prem Chand
Shahi and Anil Singh also came there but the accused persons
fired at them.

Learned counsel for the petitioner submits that of



course the petitioner is named in the F.I.R. but no allegation of either demand of extortion or assault is made against the petitioner. The other co-accused, namely, Ranjit Kumar Singh, Vivek Kumar Singh, Sunil Kumar Singh and Rajendra Singh have been granted anticipatory bail in Cr.Misc.No.36537 of 2018 on 17.07.2018. The case of the petitioner is on better footing.

Having considered the facts that, of course, the petitioner is named in the F.I.R. but no specific allegation of either extortion or assault is made against the petitioner, the above named petitioner, in the event of his arrest or surrender before the learned court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. 1st Saran at Chapra in connection with Ekma P.S. Case No.04 of 2018, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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