

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66868 of 2019

Arising Out of PS. Case No.-132 Year-2019 Thana- RAJPUR District- Buxar

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1. Sanjay Rai @ Budha Rai @ Badha Rai, Son of Krishnand Rai @ Krishnandan Rai @ Krishnanad Rai @ Krishnanand Rai Resident of Village- Tiwara, P.S.- Rajpur, District- Buxar.
 2. Krishnand Rai @ Krishnandan Rai @ Krishnanad Rai @ Krishnanand Rai Son of Late Sripat Rai Resident of Village- Tiwara, P.S.- Rajpur, District- Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajit Kumar

For the Opposite Party/s : Mrs. Veena Rani Prasad

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 20-11-2019 Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 323, 341 and 384/34 of the IPC.

The prosecution case is that on 11.06.2019, the informant was going to his village to attend a marriage ceremony, but on the way, the petitioners stopped the informant and threatened him not to sale the land to other person. It is further alleged that the petitioners also abused, assaulted and demanded extortion from the informant.

It is submitted by learned counsel for the petitioners that



the accusation against the petitioners is omnibus and general and even assuming the accusation to be true, the offence under Section 384 IPC, which is only non-bailable provision, is not made out against the petitioners. A statement has been made in paragraph no.3 of the petition that petitioner no.1 is made accused in one other case, in which he is on bail, while petitioner no.2 is not having any criminal antecedent.

Learned APP submits that the petitioners are named in the FIR with specific accusation.

Considering the nature of accusation, which prima facie, does not constitute an offence under Section 384 IPC, 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 ACJM-VI, Buxar in connection with Rajpur P.S. Case No. 132 of 2019, 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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