

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66665 of 2019

Arising Out of PS. Case No.-40 Year-2019 Thana- MANSI District- Khagaria

-
1. JITENDRA YADAV S/o Batoran Yadav R/o village- Khutia, P.S.- Mansi, District- Khagaria
 2. Anita Devi W/o Batoran Yadav R/o village- Khutia, P.S.- Mansi, District- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binod Kumar

For the Opposite Party/s : Mr.Anil Prasad Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 24-10-2019 Heard both sides.

The petitioners apprehend their arrest in Mansi P.S. case No. 40 of 2019 registered under Section 341, 323, 384, 379, 504, 506, 34 of the IPC and u/s 37(b) of the Bihar Prohibition & Excise Act.

The informant alleged that when he reached near the house of Rajdip Yadav, Amarjeet Yadav, Ranvir Kumar, Jitendra Yadav, petitioner No.1, and Malik Kumar abused him and demanded extortion of Rs. 20,000/-. The informant showed his inability to pay the amount on such Jitendra Yadav and others took him to a lonely place where Basa of Jitendra Yadav was situated and tied the limbs of the informant and assaulted



him. The petitioner No.2 is alleged to be present there with rope.

The learned counsel for the petitioners submits that petitioners have falsely been implicated in the case. There is omnibus and general allegation of assault but it appears that there is specific allegation against Jitendra Yadav and three others that they all demanded extortion from the informant and after assaulting him took him to a lonely place and tied his limbs with rope.

Taking into consideration the facts aforesaid, I am not inclined to enlarge petitioner No.1, Jitendra Yadav, on anticipatory bail. Accordingly, the same is rejected.

So far as the case of petitioner No.2, Anita Devi, is concerned, there is no allegation of assault against her. She is a lady. The only allegation against her is that she was standing on her Basa with a rope and her son took rope and tied the limbs of the informant.

Considering the facts aforesaid and nature of allegation made against the petitioner No.2, the petitioner No.2, above named, in the event of her arrest/ surrender before the 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 their furnishing bail bond of Rs. 10,000/-



(rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Act, Khagaria in connection with Mansi P.S. case No. 40 of 2019 subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

BKS/-

U		T	
---	--	---	--

