

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.17854 of 2020**

Arising Out of PS. Case No.-406 Year-2019 Thana- KUDHNI District- Muzaffarpur

1. GANESH SAH S/o Jagarnath Sah Resident of Village- Mahmadpur Patahi, P.S.- Sadar, Distt- Muzaffarpur.
2. Binod Sah S/o Jagarnath Sah Resident of Village- Mahmadpur Patahi, P.S.- Sadar, Distt- Muzaffarpur.
3. Ramesh Sah S/o Jagarnath Sah Resident of Village- Mahmadpur Patahi, P.S.- Sadar, Distt- Muzaffarpur.
4. Chandan Kumar S/o Ganesh Sah Resident of Village- Mahmadpur Patahi, P.S.- Sadar, Distt- Muzaffarpur.
5. Kundan Kumar S/o Ganesh Sah Resident of Village- Mahmadpur Patahi, P.S.- Sadar, Distt- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Arun Kumar, Advocate  
For the Opposite Party/s : Mr. Ramchandra Singh, APP

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY**  
**ORAL ORDER**

3      11-12-2020                      Heard learned counsel for the petitioners and learned counsel for the State through video conferencing.

The petitioners have filed the instant application for grant of anticipatory bail apprehending their arrest in connection with Kudhni (Turki OP) P.S. Case no. 406 of 2019 registered under sections 386, 448, 341, 323, 379, 504, 506 and 34 of the Indian Penal Code.

As per allegation in the FIR, it is stated that the five accused persons who are criminal minded persons were



regularly demanding Rs 10,000/- by way of rangdari and on refusal by the informant used to threaten him. It is stated that petitioner nos. 1 and 2 came to the shop of the informant and demanded rangdari of Rs. 10,000/- and on refusal, abused the informant and assaulted by fists and slaps. They took away a gold chain worth Rs. 35,000/-.

It is submitted by learned counsel for the petitioners that the allegations as levelled in the FIR are false and concocted. It is submitted that the petitioner nos. 1, 2 and 3 happen to be full brothers and petitioner nos. 4 and 5 are the sons of petitioner no. 1. Further the allegation of demand of rangdari is absolutely false and concocted and have been made only to give a grave appearance to the case. No incriminating article were recovered from the possession of the petitioners who have no criminal antecedent.

The application for bail is opposed by learned counsel for the State.

Having heard learned counsel for the parties and taking into consideration the nature of allegations and the material that has transpired in course of investigation together with the allegations made against the petitioner nos. 1 and 2 in the FIR, the Court is not inclined to enlarge the petitioner nos. 1



and 2 on anticipatory bail and as such their application is rejected.

So far as the petitioner nos. 3, 4 and 5 are concerned, in the facts and circumstances of the case, the Court is inclined to enlarge them on anticipatory bail. The petitioners nos. 3, 4 and 5 are directed to surrender in the Court below within a period of eight weeks from today and in the event of their arrest or surrender in connection with Kudhni (Turki O.P) P.S. Case no. 406 of 2019 they will be enlarged on bail on each of them furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate III, Muzaffarpur (West), District Muzaffarpur subject to the conditions as laid down under section 438(2) of the Cr.P.C.

**(Partha Sarthy, J)**

Prakash/-

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