

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26253 of 2020

Arising Out of PS. Case No.-245 Year-2019 Thana- RAGHOPUR District- Supaul

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SUNIL KUMAR S/o Deban Mehta Resident of Village-Daulatpur, P.S.-
Raghopur, District-Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Kamal Kishore Singh

For the Opposite Party/s : Mrs. Anita Kumari Singh, APP

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 25-11-2020 Heard the learned counsel for the petitioner and

Smt. Anita Kumari Singh, the learned A.P.P. appearing for the

State.

The petitioner apprehends his arrest in connection with Raghopur P.S. Case No. 249 of 2019 for the offence punishable under Sections 323, 384, 504, 506/34 of the Indian Penal Code.

The allegation is regarding the petitioner, who happens to be the neighbour of the informant, having engaged in threatening the informant on his mobile phone with dire consequences in case he did not marry his sister with the petitioner as also having engaged in demanding extortion money to the tune of Rs. 5 lacs and when the informant had made a complaint to the father of the petitioner, the father of



the petitioner had also engaged in abusing the informant.

The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the present case and is having a clean antecedent.

The learned APP appearing for the State has vehemently opposed the prayer for anticipatory bail, made by the petitioner apprehends his arrest in connection with Raghapur P.S. Case No. 249 of 2019 for the offence punishable under Sections 323, 384, 504, 506/34 of the Indian Penal Code.

The allegation is regarding the petitioner, who happens to be the neighbour of the informant, having engaged in threatening the informant on his mobile phone with dire consequences in case he did not marry his sister with the petitioner as also having engaged in demanding extortion money to the tune of Rs. 5 lacs and when the informant had made a complaint to the father of the petitioner, the father of the petitioner had also engaged in abusing the informant.

The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the present case and is having a clean antecedent.

The learned APP appearing for the State has vehemently opposed the prayer for anticipatory bail, made by the petitioner.



Having regard to the facts and circumstances of the case, considering the submissions advanced by the learned counsel for the parties and having gone through the case diary in question, this Court finds that benefit of doubt can be extended to the petitioner herein for the purposes of grant of anticipatory bail on account of the nature of allegation levelled against the petitioner, however, subject to certain conditions.

Accordingly, in the event of arrest or surrender before the learned court below within a period of four weeks from today, the petitioner, above named, is directed to be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Birpur in connection with Raghopur P.S. Case No. 245 of 2019, subject to the conditions as laid down under Section 438(2) Cr. P.C.

It is further directed that the petitioner shall mark his attendance before the S.H.O. of the concerned police station at 10 A.M. on each and every Monday of the week and in the event of his failure to do so on two consecutive occasions, the present privilege of regular bail being granted to the petitioner herein shall stand cancelled automatically and the petitioner



shall be taken into custody forthwith.

(Mohit Kumar Shah, J)

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