

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22896 of 2020

Arising Out of PS. Case No.-341 Year-2019 Thana- LALGANJ District- Vaishali

1. CHHOTU KUMAR, S/o Rajdev Singh, Resident of Village- Ramnagar Pakari @ Ramnagar Pakri Kanth, P.S.- Lalganj, Distt- Vaishali
2. Praveen Kumar @ Raja @ Khaja Kumar, S/o Akhilesh Singh, Resident of Village- Ramnagar Pakari @ Ramnagar Pakri Kanth, P.S.- Lalganj, Distt- Vaishali
3. Akhilesh Singh, S/o Rajdev Singh, Resident of Village- Ramnagar Pakari @ Ramnagar Pakri Kanth, P.S.- Lalganj, Distt- Vaishali
4. Mithilesh Singh, S/o Rajdev Singh, Resident of Village- Ramnagar Pakari @ Ramnagar Pakri Kanth, P.S.- Lalganj, Distt- Vaishali
5. Rajdev Singh, S/o Late Kailash Prasad Singh, Resident of Village- Ramnagar Pakari @ Ramnagar Pakri Kanth, P.S.- Lalganj, Distt- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Chandra Gandhi, Advocate
For the Opposite Party/s : Mr. Satyanand Shukla, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 01-10-2020 Heard learned counsel for the petitioners and the State.

The petitioners are apprehending their arrest in connection with Lalganj P.S. Case No. 341 of 2019 for the offence under Sections 341, 323, 387, 307, 325, 379, 504 and 506/34 of the Indian Penal Code.

Petitioner no.2 is grandson of petitioner no.5, whereas petitioner nos. 1, 3 and 4 are sons of petitioner no.5.

Learned counsel for the petitioners submits that the petitioners have got no criminal antecedent. Referring to the



prosecution case, he submits that the allegation levelled in the instant case refers to two different dates of alleged incident. One is of 17.09.2019, when the informant reached near the Railway line crossing, Bhagwanpur the petitioner Chotu, Raja and one another stopped the motorcycle of the informant and demanded Rs.50,000/- as Rangdari. The other occurrence is dated 24.09.2019. On that date the petitioners assaulted the informant and snatched Rs.50,000/- from his pocket.

He further submits that petitioner no.5 is a P.D.S. dealer and in fact Rangdari was demanded by the informant and for this petitioner no.1 (son of petitioner no.5) filed Complaint Case, bearing Complaint Case no. 3070 of 2019.

Considering the fact that the petitioners have got no criminal antecedent and also the fact that petitioner no.1 filed complaint case against the informant of this case (Annexure-2), the petitioners named above, in the event of arrest or surrender before the court below within one month from the date of communication of this order, are directed to be released on bail on furnishing bail bonds of Rs.25,000/- (Rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of Additional Sessions Judge-IX, Vaishali at Hajipur in connection with Lalganj P.S. Case No. 341 of 2019 subject to



the conditions as laid down under Section 438(2) of the Code of Criminal Procedure with the further condition that each of the petitioner shall deposit Rs.25,000/- (Twenty five thousand) cash in the court below and the same shall be abide by the final outcome in the trial i.e. if the petitioners are acquitted the amount of Rs.25,000/- shall be refunded in favour each of the petitioner, otherwise it shall be forfeited.

(Anil Kumar Upadhyay, J)

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