

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27155 of 2020

Arising Out of PS. Case No.-50 Year-2019 Thana- SAHARSA District- Saharsa

RAUSHAN KUMAR, Son of Jageshwar Prasad Yadav, Resident of Mohalla - Shivpuri, Ward No. 14, Saharsa, P.S. and District - Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amarnath Jha

For the Opposite Party/s : Mr.Humayou Ahmad Khan

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 04-12-2020 Heard learned counsel for the petitioner and learned
APP for the State through virtual court proceedings.

Since the physical court proceeding is non-functional, due to present pandemic, COVID-19, the matter is listed with defects.

Learned counsel for the petitioner undertakes to remove the defects as pointed out by the office within three weeks of normal functioning of the court, failing which the office is directed to place the matter before the Bench.

The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 147, 341, 323, 447, 354, 386, 307 of the Indian Penal Code as well as under Section 27 of the Arms Act.

Prosecution case in brief is that as per fardbeyan of



the informant namely Riya Devi is that on 12.01.2019, while the informant along with her husband were at her school, the petitioner came on a motorcycle along with three persons and demanded Rs. 1,50,000/- as Rangdari and further he threatened with abuse for giving lesson if the payment is not made. Thereafter, he returned but again he came along with 20 persons and insisted for payment of said amount. The informant was showing helplessness to pay them, she was assaulted by means of belt, slaps and feet causing her fell down. Thereafter, he took out Rs. 35,000/-. Subsequently, the petitioner returned after firing which hit the gate of the school.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. The petitioner is not named in the FIR and during investigation his name has transpired by the informant. There is no specific allegation against the petitioner. The petitioner has got no criminal antecedent which is mentioned in para 3 of the bail petition. He further submits that the co-accused has been granted bail by a Co-ordinate Bench of this Court vide order 02.07.2020 dated passed in Cr. Misc. no. 12796/2020.

Learned APP for the State opposes the prayer for bail petition.



In the aforesaid facts and circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of six weeks from the date of receipt of the order, be released on anticipatory bail on furnishing bail bonds of Rs. 25,000/- (rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, Saharsa in connection with Saharsa Sadar P. S. Case No. 50 of 2019, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anjani Kumar Sharan, J)

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