

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77179 of 2019

Arising Out of PS. Case No.-55 Year-2019 Thana- JADOPUR District- Gopalganj

DHANANJAY RAI, Son of Dudhnath Rai, Resident of Village - Baluwa Tola,
P.S.- Yadopur, Distt.- Gopalganj.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raghav Prasad, Adv.

For the Opposite Party/s : Mr. Satya Nand Shukla, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 13-02-2020 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner is apprehending arrest in a case registered
for the offences punishable under Sections 341, 323, 326, 307,
504 and 506/34 of the Indian Penal Code.

The prosecution case got initiated on the basis of written
report of Washisth Rai submitted to the S.H.O., Jadopur Police
Station is to the effect that Bablu Rai, son of Hridya Rai and
Dhananjay Rai, son of Sheojee Rai used to demand extortion of
Rupees Five Lacs from the son of the informant, Amrish Rai and
the accused persons are alleged to have given life threatening to
him in case of non-fulfillment of extortion amount. It is further
alleged that on 03.06.2019 at 11.00 P.M., ten FIR named accused
persons, including the petitioner, chased the son of the informant



when co-accused, Dhananjay Rai, son of Sheojee Rai and Bablu Rai assaulted him with a knife. When the informant tried to rescue his son, the accused persons also assaulted him.

It is submitted by learned counsel for the petitioner that the specific accusation of assault is against co-accused, Bablu Rai, son of Hridya Rai and Dhananjay Rai, son of Sheojee Rai whereas the petitioner's name is also Dhananjay Rai, but his father's name is Dudhnath Rai. Moreover, the accusation of assault has been levelled against ten accused persons, but the medical opinion suggests only two injuries. A statement has been made in paragraph No.3 of the petition that the petitioner is not having any criminal antecedent.

It is submitted by learned APP for the State that the petitioner is named in the FIR and the accusation of chasing the son of the informant is against all the accused persons.

Considering the fact that for the alleged occurrence of 03.06.2019, the FIR was lodged on 05.06.2019 and specific accusation of demanding extortion, giving life threatening and making assault with knife are against co-accused, Bablu Rai, son of Hridya Rai and Dhananjay Rai, son of Sheojee Rai, coupled with the fact that the petitioner is not having any criminal antecedent, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the



learned Court below within a period of 12 weeks from today, on
furnishing bail bond of Rs.10,000/- (ten thousand) with two
sureties of the like amount each to the satisfaction of the learned
Judicial Magistrate, 1st Class, Gopalganj, in connection with
Yadopur P.S. Case No.55 of 2019, subject to the conditions as
laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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