

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85000 of 2019

Arising Out of PS. Case No.-255 Year-2019 Thana- SHIVSAGAR District- Rohtas

1. SHARAD PASWAN S/o Pargan Paswan R/o village- Rampur, Joi, P.S.- Sheosagar, District- Rohtas
2. Sahawan Paswan S/o Ramashish Paswan @ Ramashish Ram R/o village- Rampur, Joi, P.S.- Sheosagar, District- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Vijay Anand
For the State	:	Mr. Mukesh Kumar Singh , App
for the informant	:	Mr. Ashutosh Tripathi

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 26-06-2020 Heard both sides.

The petitioners apprehend their arrest in Sheosagar P.S. case No. 255/2019 registered under Section 386 of the IPC.

The informant alleged that petitioners used to extract money from the informant in past but he did not raise any objection due to fear. On the date of occurrence the petitioners came inside the house of informant and demanded Rs. 30,000/-. Out of fear the informant gave Rs. 10,000/- and assured that remaining amount would be paid after some days.

The learned counsel for the petitioners submits that petitioners are co-villager of the informant. The informant has alleged that the informant used to pay extortion money to the petitioners in the past but the informant never informed the police nor any person in the village. Some dispute arose on account of Nal Jal Yojna and that is why the informant lodged this case against the petitioners. The petitioners are students and



they are preparing for competitive examination.

The learned counsel for the informant as well as the learned APP opposed the prayer for anticipatory bail and submit that after this occurrence one Sheosagar P.S. case No. 2/2020 u/s 385 of the IPC was also registered against the petitioners. The petitioners used to survive after extorting money from the villagers.

Perused the FIR and the case diary.

The informant made allegation that the petitioners extorted money from him on the point of pistol. During the course of investigation the witnesses have stated that on alarm they also went there and heard that petitioners realized extortion from the informant.

Taking into consideration the facts aforesaid, I am not inclined to enlarge the petitioners on anticipatory bail. Accordingly, the same is rejected.

If the petitioners surrender in the court below the learned court below shall consider the prayer for regular bail of the petitioner on its own merit without being prejudiced from the order of this court and dispose of the bail petition, preferably, on the same day.

(Prabhat Kumar Jha, J)

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