

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3068 of 2020

Arising Out of PS. Case No.-118 Year-2012 Thana- DINARA District- Rohtas

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1. Birendra Rai @ Birendra Ray, aged about 64 years, Male, Son of Late Maina Rai
 2. Kamlesh Kumar Rai @ Nappu, aged about 34 years, Male, Son of Birendra Rai, both residents of Village - Puhpi, P.S.- Dinara, Distt - Rohtas at Sasaram.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K. Agrawal, Sr. Advocate Mr. Raghunandan Kumar Singh, Advocate Mr. Upadhyay Saurabh Kumar, Advocate
For the State	:	Mrs. Rita Verma, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 29-02-2020 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Dinara P.S. Case No. 118 of 2012 registered for the offences punishable under Sections 387, 504, 506, 353/34 of the Indian Penal Code.

The allegation against the petitioners is that they along with one Birendra Singh demanded five lacs in ransom from the engineer and contractor, who were engaged in executing some government work.

Learned counsel appearing for the petitioners submits



that as a matter of fact, the concerned engineer and contractor were using substandard materials in construction work which was opposed by the villagers and petitioners and prior to institution of the present case, petitioners and several other villagers made complaint before the Executive Engineer against the Junior Engineer as well as contractor but subsequently, the Executive Engineer lodged the present case. He further submits that after institution of the present case, police summoned the accused Ashok Pandey for enquiry and co-accused went to the police station. He further submits that after proper enquiry, police was satisfied with the defence of the petitioners as a result whereof police released the petitioners under Section 41 A of the Cr.P.C. but subsequently, the police submitted charge sheet against the co-accused and others and thereafter, the concerned court having taken cognizance issued summons against the petitioners which has caused apprehension of arrest to the petitioners. Learned counsel for the petitioners further submits that similarly situated co-accused has been granted anticipatory bail by this Co-ordinate Bench of this Court vide order dated 13.02.2020 passed in Cr. Misc. No.86530 of 2019.

In the facts and circumstances of the case, let the above named petitioners be released on bail, in the event of



arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 20,000/- (twenty thousand) each with two sureties of the like amount each to the satisfaction of Lal Bihari Paswan, Judicial Magistrate-Ist Class, Bikramganj, Rohtas at Sasaram in connection with Dinara P.S. Case No. 118 of 2012, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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