

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14109 of 2021**

Arising Out of PS. Case No.-142 Year-2019 Thana- NOWKOTHI GARHPURA District-
Begusarai

- =====
1. SHUBHAM KUMAR @ SHIVAM KUMAR S/O RAM PRAVESH SINGH
R/O VILLAGE-PAHSARA, P.S.-NAOKOTHI, DISTRICT-BEGUSARAI.
 2. OM PRAKASH SINGH @ MACHHALI SINGH @ MACHHALI @ OM
PRAKASH KUMAR S/O SHOVIKANT SINGH R/O VILLAGE-
PAHSARA, P.S.-NAOKOTHI, DISTRICT-BEGUSARAI.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Smt. Soni Srivastava, Advocate
For the Opposite Party/s : Mr. Anil Kumar Singh No. 1, APP

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**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER**

2 02-07-2021 Heard learned counsel for the petitioners and learned

Additional Public Prosecutor for the State through video

conferencing.

The petitioners have filed the instant application for
grant of regular bail in connection with Nawkothi P.S. Case no.
142 of 2019 registered under sections 386, 342, 448, 506 and 34
of the Indian Penal Code.

As per allegation in the FIR, it is stated by the
informant that on the date of occurrence the accused persons
variously armed came to his door. Ram Bilash Singh took out
the pistol and threatened the informant about withdrawing the



case and of payment of *rangdari* to the tune of Rs.10 lacs. It is stated that the elder brother of the informant gave a sum of Rs. 50,000/- requesting them not to shoot. It is stated that the petitioners herein stated that the remaining amount will have to be paid. Thereafter accused Krishna Kumar @ Babua Singh took out and on the point of pistol got the informant to sign on blank piece of papers.

It is submitted by learned counsel for the petitioners that the occurrence is alleged to have taken place on 7.11.2019, the complaint was filed on 11.11.2019 and the FIR registered on 2.12.2019. There is no reasonable explanation for the delay. It is further submitted that co-accused Krishna Kumar @ Bubua Singh has been enlarged on bail vide order dated 22.1.2021 passed in Cr. Misc. no. 23396/2020. From perusal of the same it would transpire that the said Krishna Kumar and the informant Rajeev Bharati who is a practicing advocate are agnates with land dispute pending between them in Court. The petitioners are in custody since 6.10.2020 and investigation in the case has concluded.

The application for bail is opposed by learned Additional Public Prosecutor for the State.

Having heard learned counsel for the parties and



taking into consideration the submissions made on behalf of the petitioners together with the grant of bail to co-accused Krishna Kumar, the Court is inclined to enlarge the petitioners on bail. The petitioners are directed to be enlarged on bail in connection with Nawkothi P.S. Case no. 142 of 2019 on each of them furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Begusarai.

(Partha Sarthy, J)

Spd/-

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