

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36360 of 2020

Arising Out of PS. Case No.-51 Year-2020 Thana- CHAND District- Kaimur (Bhabua)

PAWAN SINGH, S/o Daddan Singh, age 28 years, Resident of Village-
Pahraicha, P.S.- Chand, Distt- Kaimur at Bhabhua.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Praveen Kumar, Advocate Mr. Uday Pratap Singh, Advocate
For the State	:	Mr. Sanjay Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 09-04-2021 Heard Mr. Praveen Kumar, the learned counsel for the

petitioner and Mr. Sanjay Kumar Pandey, the learned Additional

P.P. through video conferencing.

The petitioner apprehends his arrest in Chand P.S.

Case No.51 of 2020, registered under Sections 341, 323, 379,

384, 427, 504, 506 and 34 of the Indian Penal Code and under

Section 37(i) (ii) of the Bihar Prohibition and Excise Act.

The informant in sum and substance alleged that the

petitioner and one Santosh Singh signaled him to stop his car

while he was going for some work of the bank with Vinay

Singh. As soon as the vehicle was stopped, the petitioner and

Santosh Singh dragged the informant out of the car, torn his

clothes and also assaulted him. They damaged the vehicle by



iron rod. Santosh Singh took away a bag from the vehicle and they demanded extortion of Rs.50,000/-. The informant informed the police who came on the place of occurrence and arrested Santosh Singh, but the petitioner managed to flee away.

Learned counsel for the petitioner submits that the entire allegation is false and concocted. The petitioner is the neighbour of the informant. The petitioner is also doing some business and for that some altercation took place between the petitioner and the informant. The informant alleged that at 4.00 P.M. the informant informed the police but the police came at 7.30 P.M. and apprehended Santosh Singh. It is not possible that after committing the offence, the petitioner and his friend would remain on the place of occurrence for three hours but it appears from the record itself that at about 4.00 P.M. when the informant and his friend who are employees of the bank were going for the purpose of bank work, the petitioner intercepted, asked the informant to stop the vehicle and the petitioner and his friend, who managed to flee away from the place of occurrence, assaulted the informant and demanded extortion. The police after having received information came on the place of occurrence and arrested one of the accused but the petitioner managed to flee away.



Taking into consideration the facts aforesaid, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the prayer for anticipatory bail of the petitioner is rejected.

(Prabhat Kumar Jha, J)

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