

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40155 of 2020**

Arising Out of PS. Case No.-313 Year-2019 Thana- KUSHESHWARASTHAN District-
Darbhanga

=====

ASHOK KUMAR RAI @ ASHOK RAI, SON OF YOGENDRA RAI
RESIDENT OF VILLAGE - BHINDUA, P.S. - KUSHESHWAR ASTHAN,
DISTRICT - DARBHANGA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Md. Harun Quareshi

For the Opposite Party/s : Mr.APP

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**CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER**

2 10-06-2021 Heard Mr. Nasrul Hoda, learned counsel for the

petitioner and Mr. Ajay Kumar Jha, learned APP for the

State.

The petitioner seeks bail in anticipation of his

arrest in connection with Kusheshwar Asthan P. S. Case

No. 313 of 2019, instituted for the offences under

Sections 147, 148, 149, 341, 323, 307, 354(B), 379,

504 and 384 of the Indian Penal Code.

The accusation against the petitioner is of

demanding *Rangdari* from the informant and his

associates and also of firing in the air for scaring away



the members of the prosecution party.

The learned counsel for the petitioner has drawn the attention of this Court to the impugned order indicating that the persons who are similarly situated have been granted anticipatory bail by the court below. One of such persons is also said to have participated in the assault. So far as the petitioner is concerned, there is an accusation of demand of protection money as also of resorting to firing in the air. No person appears to have been injured because of the overt act of the petitioner. There is a counter version of the occurrence also. The occurrence took place because of dispute over a plot of land.

The petitioner does not have criminal antecedents.

Three persons have been injured in the occurrence. One of them is stated to have received a grievous injury which is not attributable to the petitioner in any way.



Considering the afore-stated facts, the petitioner, above-named, is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge – II, Benipur, Darbhanga, in connection with Kusheshar Asthan P. S. Case No. 313 of 2019, subject to the conditions as laid down under Section 438 (2) Cr.P.C.

The application stands allowed.

(Ashutosh Kumar, J)

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