

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7355 of 2022

Arising Out of PS. Case No.-112 Year-2019 Thana- BIHRA District- Saharsa

OM PRAKASH SINGH S/O TRIPURARI PRASAD SINGH R/o village-
Durgapur Tola, Ward No. IC Pachgachhia, P.O.- Pachgachhia, P.S.- Bihra,
District- Saharsa

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anirudh Mishra

For the Opposite Party/s : Mr.Pramod Kumar Pandey,APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

6 10-11-2022

Heard learned counsel for the parties.

The petitioner apprehends his arrest in a case registered for the offence under Sections 341, 323, 385, 504, 506 and 34 of the Indian Penal Code and Section 27 of the Arms Act.

As per the prosecution case, on 07.07.2019 at 9:30 AM, while the informant was ploughing his agricultural field, all the F.I.R. named accused persons including this petitioner and some unknown, armed with fire-arm, came there and started assaulting him. It is further alleged that earlier also, this petitioner alongwith other three co-accused persons had come and demanded Rs. 5,00,000/- (five lacs), as extortion, and on non-fulfillment of the same, they resorted to fire and took away the crops from the field of the informant.



It is submitted on behalf of petitioner that for alleged occurrence, which is said to have been committed by this petitioner prior to this occurrence, no F.I.R. was lodged by the informant. In the present F.I.R., there is no direct allegation against this petitioner that he was present at the spot or any role has been assigned to the petitioner. The allegation of abuse and firing is against other co-accused persons. Similarly situated co-accused persons have already been granted anticipatory bail by this Court, vide order dated 29.02.2020 passed in Cr.Misc. No. 4598 of 2020.

Learned A.P.P. opposed the prayer for bail.

Considering the aforesaid facts and circumstances, in the event of arrest/surrender within a period of six weeks from today, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Saharsa in connection with Bihra P.S. Case No. 112 of 2019, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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