

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9121 of 2022

Arising Out of PS. Case No.-320 Year-2021 Thana- KHAJEKALA District- Patna

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1. GIRJA RAI Son of Late Musafir Rai Resident of Mohalla- Diwan Mohalla, P.S.- Khajekalan, District- Patna.
 2. BIJLI RAI Son of Lala Rai Resident of Mohalla- Diwan Mohalla, Police Station- Khajekalan, District- Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Krishan Jha, Advocate

For the Opposite Party/s : Mr. Shyam Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

3 17-10-2022 Learned counsel for the petitioners seeks permission to withdraw the prayer for anticipatory bail with respect to petitioner no. 2 (Bijli Rai).

Permission is accorded.

Heard learned counsel for the petitioner no. 1 and learned A.P.P. for the State.

Let the defect(s), if any, be removed within a period of four weeks.

The petitioner no. 1 apprehends his arrest in a case registered for the offences punishable under Sections 147, 149, 341, 342, 323, 324, 307, 385, 387, 427, 379, 504, 506 of the Indian Penal Code and Section 27 of the Arms Act.

Learned counsel for the petitioner no. 1 submits that



petitioner no. 1 is a person with clean antecedent and is aged about 74 years.

The informant alleges that he has a shop of soil and sand. Girja Rai and Bijli Gope about six months back demanded extortion of Rs.10,00,000/- from the informant. Further, 6-7 days back, accused persons including the petitioners along with Sulendra Thakur and Rajesh Rai came and assaulted the informant. On 27.09.2021, the accused persons including the petitioners came and on their orders Dayanand Gope assaulted the informant by Dab causing injury on his head and Girja Rai was repeating the demand of extortion.

Learned counsel for the petitioner no. 1 submits that petitioner no. 1 has been falsely implicated in the present case as there is business dispute between the accused persons and the informant. He further submits that petitioner is a person aged about 74 years and till 74 years he was a person with clean antecedent and all of a sudden he has been made a criminal by alleging that he also demanded extortion. He next submits that even the allegation of extortion does not inspire confidence in the nature of allegation as alleged in the FIR.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.



Considering the submissions made by the learned counsel for the petitioner no. 1, the petitioner no. 1 above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Khajekalan P.S. Case No. 320 of 2021, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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