

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13902 of 2022

Arising Out of PS. Case No.-156 Year-2021 Thana- ARWAL District- Jehanabad

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SUNIL KUMAR @ SUNIL YADAV Son of Late Anant Yadav Resident of
Village - Mohamadpur tola, P.s.- Paliganj, Distt.- Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Akshansh Ankit

For the Opposite Party/s : Mr.Damodar Prasad Tiwary

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 23-08-2022 Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in a case registered for the offence punishable under sections 307/379/34 and other ancillary sections of the Indian Penal Code.

All the FIR named accused persons including the petitioner and other 40 to 45 unknown persons came to the construction site of the informant and demanded Rs.5 lacs as protection money and on protest they assaulted the informant with butt of rifle. They also assaulted one Praveen Kumar by means of rod and khanti. Co-accused Anil Yadav took away golden chain of Rs.1.84 lacs. It is further alleged that this petitioner snatched a bag from the informant containing Rs. Seven Lakhs.

Learned counsel for the petitioner submits that the



petitioner is innocent and has falsely been implicated in this case. Occurrence took place due to dispute of work agreement between informant and the accused persons. There is general and omnibus allegation of assault and extortion against the petitioner and no specific overt act has been alleged against him. Similarly situated accused Rabinder Kumar has already been granted pre arrest bail by a co-ordinate Bench of this court vide order dated 08.08.2022 passed in Cr. Misc. No. 10447/ 2022.

Learned counsel for the State opposes the prayer for anticipatory bail and submits that there is direct and specific allegation against this petitioner that he snatched a bag from the informant containing Rs. Seven Lakhs and petitioner has got criminal antecedent of seven criminal cases.

Considering the nature of accusation and gravity of the offence, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Singh, J)

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