

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16415 of 2022

Arising Out of PS. Case No.-266 Year-2021 Thana- RIGA District- Sitamarhi

1. PRABHAT KUMAR YADAV Son of Virendra Rai Resident of Village and P.O. - Posua, P.S. - Riga, District - Sitamarhi, Pin Code - 843327 (Bihar).
2. Jayram Kumar @ Jai Ram Rai Son of Chandar Rai Resident of Village and P.O. - Posua, P.S. - Riga, District - Sitamarhi, Pin Code - 843327 (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Uday Kumar

For the Opposite Party/s : Mr.Jharkhandi Upadhyay

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 27-09-2022 Heard learned counsel for the parties.

The petitioners apprehend their arrest in a case registered for the offence under Sections 341, 323, 379, 386, 504, 506/34 of the Indian Penal Code and Section 27 of the Arms Act.

As per the prosecution case, it is alleged that while the protection work was going on at Posua Lakhandei river, all the accused persons including this petitioner came in drunken condition, armed with country-made pistol, and started assaulting labourers by fists and slaps and thereafter, they demanded *rangdari* (ransom).

It is submitted on behalf of petitioners that allegation



of assault is general and omnibus against all the accused persons including these petitioners. It is further submitted that though, there is allegation of demand of ransom, but no payment in respect of *rangdari* has been made to any one. From bare perusal of F.I.R., it is apparent that informant is not eye-witness of the alleged occurrence and there is no injury report on the record. Petitioners have got clean antecedent.

Learned A.P.P. for the State has opposed the bail petition.

Having considered the submission made on behalf of the parties and taking into consideration the fact that there is general & omnibus allegation of assault by fists & slaps against all the accused persons, including these petitioners, and no money has been paid to anyone due to the threat or extortion coupled with the fact that petitioners have got clean antecedent, the prayer for anticipatory bail of petitioners is allowed.

Let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sitamarhi in connection with Riga P.S. Case No. 266 of 2021, subject to



condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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