

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50478 of 2021

Arising Out of PS. Case No.-123 Year-2021 Thana- SAHAR District- Bhojpur

ANAND KUMAR SINGH SON OF LATE KAMESHWARI SINGH
Resident of Village - Sahri, P.S.- Barh, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Singh

For the Opposite Party/s : Mr.Mithlesh Kumar Khare

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

5 12-09-2022 Learned counsel for the petitioner is directed to remove
all the defects pointed out by the Stamp Reporter within one month.

Heard learned counsel for the petitioner as well as learned
APP for the State.

The petitioner apprehends his arrest in connection with
Sahar P.S. Case No. 123 of 2021, registered for the offences
punishable under Sections 341, 323, 384, 385, 420, 504, 506/34 of
the Indian Penal Code.

The petitioner at relevant point of time was SHO of Sahar
Police Station. The allegation against him is that one Ashok Singh
was extorting money from the truck drivers for the petitioner. On the
day of occurrence three trucks were stopped by co-accused Ashok
Singh. One truck driver managed to his truck be released after
payment of Rs. 21,000/-. The truck of the informant was brought to



the Police Station. The informant paid Rs. 7,000/- to the co-accused and assured to pay the rest amount after selling the sand loaded in his truck and on that assurance his truck was released. The co-accused demanded the remaining amount through telephonic messages and Whatsapp. It is alleged further that at the request of the informant his friend deposited Rs. 2,000/- in bank account number mentioned in the FIR.

Learned counsel for the petitioner has submitted that there is no allegation against the petitioner of extorting money rather there is allegation that one Ashok Singh was demanding money on behalf of the petitioner. The petitioner is a person of clean antecedent. The informant has compromised the case with Ashok Singh and he has been granted regular bail in Cr. Misc No. 41009 of 2021 vide order dated 04.01.2022.

It appears that at the order of Superintendent of Police the matter has been investigated and in paragraph nos. 26 and 27 the members of investigating team has also found the complicity of the present petitioner in the alleged occurrence.

As it has already been submitted that co-accused Ashok Singh against whom there his allegation of realizing money from the truck drivers has been granted bail.

The petitioner is directed to surrender before the learned court below and make a prayer for regular bail. I do not see any reason as to why the same benefit is not extended to the present



petitioner as co-accused Ashok Singh.

With these observations, the criminal miscellaneous petition is disposed of.

Office shall ensure that all defects are removed by the petitioner within the stipulated time provided in para-1 hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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