

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58802 of 2021

Arising Out of PS. Case No.-97 Year-2020 Thana- KOILWAR District- Bhojpur

1. BHEEM KUMAR YADAV S/o GIRJA RAI R/o VILLAGE-NARAYANPUR, P.S-KOILWAR, DISTRICT-BHOJPUR AT ARA.
2. JINDAL KUMAR S/o NIRMAL KUMAR @ NIRMAL RAI R/o VILLAGE-NARAYANPUR, P.S-KOILWAR, DISTRICT-BHOJPUR AT ARA.
3. PRINCE KUMAR S/o UPENDRA RAI @ DEVENDRA RAI R/o VILLAGE-NARAYANPUR, P.S-KOILWAR, DISTRICT-BHOJPUR AT ARA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pawan Kumar, Advocate
For the Opposite Party/s : Dr. Indivar Kumari, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 11-07-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 386 of 34 of the Indian Penal Code.

Learned counsel for the petitioners submits that petitioner no. 1 has antecedent of one case and petitioner no. 2 and 3 are persons with clean antecedent and the informant alleges that his uncle has a gas agency of Indian Oil Company at village Babura and the informant is a care taker of that agency, it is next alleged that on 21.03.2020 at 5:00 P.M. when the



informant was going to Jamalpur market by bike for purchasing article for construction of the house, petitioners along with other accused intercepted him and demanded extortion of Rs. 50,000/- on the ground that he was earning a lot from the Gas Agency, failing which they would kill him, it is next alleged that the informant gave Rs. 10,000/- out of fear and petitioner no. 3 took Rs. 3,000/- from his pant's pocket, it is next alleged that the accused persons fled away from the place of occurrence when villagers gathered.

Learned counsel for the petitioners submits that petitioners have been falsely implicated in the present case, it is next submitted that informant and the petitioners are co-villagers and as such are known to each other, hence it absolutely does not stand to reason that the petitioners being co-villagers would have demanded extortion from the informant knowing very well that informant knows them and thus would easily disclose their name before the police, it is next submitted that the present dispute arose out of a cricketing dispute and the present false case came to be instituted. It is further submitted that now vide Annexure-2 the parties have filed a compromise petition in the learned court below, it is thus submitted that since the parties have compromised realising that in the heat of the



moment, the case came to be instituted and no useful purpose would be served by sending the petitioners to jail.

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

Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their 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. 5,000/- (Rupees Five Thousand) each 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 Koilwar P.S. Case No. 97 of 2020 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

Shivam/-

U		T	
---	--	---	--

