

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10206 of 2021

Arising Out of PS. Case No.-387 Year-2019 Thana- BETTIAH CITY District- West
Champaran

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1. RAJESH KUMAR @ RAJESH PRASAD SON OF LATE DHURUV PRASAD RESIDENT OF MOHALLA- KILA MOHALLA, WARD NO.-20, P.S- BETTIAH TOWN, DIST.-WEST CHAMPARAN
 2. SAGAR KUMAR SON OF LATE DHURUV PRASAD RESIDENT OF MOHALLA- KILA MOHALLA, WARD NO.-20, P.S- BETTIAH TOWN, DIST.-WEST CHAMPARAN

... .. Petitioners.

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar
For the Opposite Party/s : Mr. Manoj Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 04-01-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State through virtual Court proceedings.

Learned counsel for the petitioners undertakes to remove the defects, as pointed out by the office, within four weeks. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 384, 379 & 506/34 of the Indian Penal Code.

The allegation against the petitioners is that they in



association of other co-accused demanded rangdari of Rs.20 lakhs on the point of country made pistol.

It is submitted by learned counsel for the petitioners that no such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case on account of money dispute between the parties. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. There is inordinate and abnormal delay of 28 days in lodging the F.I.R. without assigning any plausible and convincing reason for the said delay. There is a counter version of the alleged occurrence lodged by one Juhi Gupta, the sister of the petitioners, bearing Bettiah Town P.S. Case No.370 of 2019 under various section of the Indian Penal Code. Petitioners have one criminal antecedent as mentioned in the supplementary affidavit.

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in



connection with Bettiah Town P.S. Case No.387 of 2019, subject
to the condition as laid down under Section 438 (2) of the
Cr.P.C.

(Anjani Kumar Sharan, J)

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