

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65510 of 2021

Arising Out of PS. Case No.-591 Year-2021 Thana- KHAGARIA District- Khagaria

1. INDRAJEET KUMAR @ RINKU @ AMARDEEP KUMAR S/o Late Shivakant Mishra Resident of Mohalla - Sanhauli, Kabir Nagar, Ward No. 14, P.S. - Chitragupta Nagar, District - Khagaria.
2. Chhotu Kumar @ Vishal Mishra S/o Late Shivakant Mishra Resident of Mohalla - Sanhauli, Kabir Nagar, Ward No. 14, P.S. - Chitragupta Nagar, District - Khagaria.
3. Kakku Kumar S/o Late Shivakanth Mishra Resident of Mohalla - Sanhauli, Kabir Nagar, Ward No. 14, P.S. - Chitragupta Nagar, District - Khagaria.
4. Ravindra Kumar Ravi S/o Late Ashok Kumar Resident of Mohalla - Sanhauli, Kabir Nagar, Ward No. 14, P.S. - Chitragupta Nagar, District - Khagaria.
5. Sunil Kumar @ Sunil Kumar Sah S/o Surendra Prasad Resident of Mohalla - Sanhauli, Kabir Nagar, Ward No. 14, P.S. - Chitragupta Nagar, District - Khagaria.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ranjeet Kumar Singh, Advocate Mr. Barun Kumar Singh, Advocate
For the Opposite Party/s	:	Ms. Rina Sinha, APP
For the Informant	:	Mr. Kumar Satyam, Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 25-07-2022 Heard learned counsel for the petitioners, learned counsel for the informant and learned A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 504, 506, 307, 385, 379 and 34 of the Indian Penal Code.

Learned counsel for the petitioners submits that the petitioner no. 2 has antecedent of one case and rest of the petitioners are persons with clean antecedent and the informant



alleges that he was constructing a house when 4-5 unknown accused persons came and demanded extortion of Rs. 2,00,000/-, it is next alleged that on 27.07.2021 at about 11:00 A.M. Ravindra Kumar, Samir Kumar and Indrajeet Kumar came variously armed and started abusing him and said that he cannot construct his house without paying extortion and thereafter the informant out of fear paid Rs. 15,000/-. It is next alleged that on the same day in the evening, the accused persons came and started demolishing the house and on objection raised by the informant, Samir assaulted with Khanti on the head of Abhinav Kumar Singh causing head injury, Arvind assaulted with rod on head of Angad causing head injury thereafter Indrajeet Kumar caught the informant from behind and Sunil Kumar assaulted with butt of three nut gun causing injury on nose and face.

Learned counsel for the petitioners submits that the petitioners have been falsely implicated in the present case, it is next submitted that petitioners and the informant are neighbour and the informant was constructing his roof which was being objected by the petitioners as it was having the effect of encroaching their land for which they had also complained to different authorities. It is next submitted by the learned counsel for the petitioner that despite such objection, the informant continued with the construction work and the present occurrence



took place and false case came to be instituted alleging that extortion was being demanded by 4-5 unknown persons, the learned counsel next submits that injuries suffered by the injured are simple in nature.

Learned A.P.P. for the State and the learned counsel for the informant oppose the prayer for anticipatory bail of the petitioners but are not in a position to rebut the submission of the learned counsel for the petitioners that the injuries suffered are simple in nature and the informant and the petitioners are next door neighbours.

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 Khagaria (Chitragupa Nagar) P.S. Case No. 591 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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