

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70676 of 2021

Arising Out of PS. Case No.-208 Year-2020 Thana- SABAUR District- Bhagalpur

1. PRABHAT KUMAR MANDAL S/o Late Shiv Charan Mandal Resident of Village- Ghiya, P.S.- Goradih, District- Bhagalpur.
2. Banti Kumar @ Kamal Kant Kumar S/o Shreekant Mandal Resident of Village- Ghiya, P.S.- Goradih, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Tarun Prasad Mandal, Advocate

For the Opposite Party/s : Mr.Ram Bilash Roy Raman, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 09-03-2022 Heard learned counsel for the petitioners and learned
APP for the State.

Learned counsel for the petitioners is directed to remove the defects, as pointed out by the Office, within a period of four weeks.

The petitioners are apprehending their arrest in Sabour (Goradih) P.S. Case No. 208/2020 registered under Sections 341, 323, 384, 447, 504, 506 and 120B of the Indian Penal Code.

The prosecution case in short is that the accused persons including petitioner no. 1 demanded extortion of Rs. One lac from the informant in a scheme of government.



It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. The case has been instituted after three days of the alleged occurrence. The informant is the husband of the Mukhiya of the concerned Panchayat. For political reasons, the petitioners have been implicated in the present case as the petitioners do not support him.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R. There is allegation of demand of extortion.

Considering the facts and circumstances, I am not inclined to grant anticipatory bail to the petitioner. Prayer is rejected. However, if the petitioner surrenders in the Court below and prays for bail, the same shall be considered on its own merit without being prejudiced by this order.

(Sudhir Singh, J)

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