

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12585 of 2023

Arising Out of PS. Case No.-353 Year-2022 Thana- DIGHA District- Patna

SONI RAI S/O SRI JAY RAM RAY Resident of Village- Bansh Kothi, P.S.-
Digha, District- Patna

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kumar Sinha

For the Opposite Party/s : Mr. Uday Pratap Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 19-05-2023 Heard the parties.

The petitioner apprehend his arrest in connection with Digha P.S. Case No.353 of 2022, registered for the offence punishable under Sections 341, 323, 504, 506, 379, 385, 34 of the Indian Penal Code.

The allegation against the petitioner is that he alongwith co-accused Anil Rai demanded extortion from the informant. It is further alleged that the petitioners assaulted and abused the informant and snatched Rs.2000/- which was for filling of the fuel.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and have committed no offence. He has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation



levelled against the petitioner is not specific rather general and omnibus in nature. He submits that both the parties are agnates and there is an admitted land dispute between the parties. He further submits that there is no specific overt act of section 379 of IPC against the petitioner. Petitioner has nine criminal antecedent.

Learned APP for the State opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case as well as considering the nature offence and criminal history of the petitioner, I am not inclined to enlarge the petitioner on bail. The prayer for grant of anticipatory bail on his behalf is hereby rejected.

This application is accordingly dismissed.

However, if the petitioner surrenders before the learned Court below within a period of six weeks from today and seek for regular bail, the learned Court below shall pass the order on the same day in accordance with law, considering the fact that there is a land dispute between the parties.

(Anjani Kumar Sharan, J)

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