

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21622 of 2023

Arising Out of PS. Case No.-160 Year-2022 Thana- KHAIRA District- Saran

1. Mukesh Kumar Rai Son of Umesh Rai
2. Ritesh Kumar Singh @ Sonu Kumar Singh Son of Butayee Singh @ Chandeshwar Singh
Both are resident of Village- Bhikhanpur, P.S. - Khaira, Distt- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nawal Kishore Singh, Advocate
For the Opposite Party/s : Mr. Nirmal Kumar Sinha, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 24-06-2023 Heard Mr. Nawal Kishore Singh, learned counsel appearing on behalf of the petitioners and Mr. Nirmal Kumar Sinha, learned APP for the State.

The petitioners seek pre-arrest bail in connection with Khaira P.S.Case No.160 of 2022, registered for the offences punishable under Sections 341, 384, 386, 427, 504 & 506/34 of the Indian Penal Code.

Prosecution story, in brief, is that the petitioners demanded Rs.50,000/- from the informant and due to not handing over the same, the petitioners started abusing the informant by taking his caste name.

The learned counsel appearing on behalf of the



petitioners submitted that the allegation, which has been made against the petitioners is frivolous and without any evidence. It is not clear for what purpose, the petitioners had demanded Rs.50,000/- from the informant rather the petitioners had objected the informant from damaging the wall of the school, which was creating hindrance in carrying out the development work. The informant is elected Mukhiya and allegation of threatening is also not substantiated. Petitioner has no criminal antecedent.

Learned counsel further submitted that the petitioners has been implicated in the false case due to village politics just during the course of election period.

Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

Having considered the rival submissions made by the parties as well as the allegation made in the FIR against the petitioners, it appears that due to political rivalry between the parties, the petitioners have been made accused in the present case, the petitioners are directed to be released on pre-arrest bail, in the event of their arrest or surrender before the court below within a period of four weeks from today, on furnishing bail bond of Rs.10,000/- (Ten Thousand) each with two sureties



of the like amount each to the satisfaction of learned Smt. Ruby Kumari, J.M. Ist Class, Saran at Chapra/concerned court in connection with Khaira P.S.Case No.160/2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Purnendu Singh, J)

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