

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26095 of 2023

Arising out of PS. Case No.-713 Year-2022 Thana- CHAPRA TOWN District- Saran

-
1. SUBHASH KUMAR @ SUBASH SAH, MALE, AGED ABOUT 29 YEARS, SON OF BHIMAL SAH @ BIMAL SAH.
 2. SURENDRA KUMAR SAH, MALE, AGED ABOUT 40 YEARS, SON OF BHIMAL SAH @ BIMAL SAH.

BOTH RESIDENT OF VILLAGE- BAKHORAPUR, P.S.- BARHARA, DISTRICT – BHOJPUR, PRESENT RESIDING AT MOHALLAH- MAUNA DALDALI BAZAR (MAUNA BANGANJ, EAST OF SHEO MAHAL),P.S. CHAPRA TOWN, DISTRICT-SARAN AT CHAPRA (BIHAR)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rakesh Kumar, Advocate

For the Opposite Party/s : Mr.Chandra Sen Prasad Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 07-07-2023 Heard the learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Chapra Town P.S. Case No. 713 of 2022, registered for the offences punishable under Sections 341, 323, 324, 308, 384, 379, 506/34 of the Indian Penal Code.

The allegation is regarding the accused persons including the petitioners herein having been making extortion demands from the informant and on 27.10.2022, at around 4:30 A.M., they had again arrived at the house of the informant, variously armed and demanded a sum



of Rs. five lacs, however, upon denial by the informant to do so, they had assaulted him with farsa and snatched his chain as also a sum of Rs. 6000/-.

The learned counsel for the petitioners has submitted that the petitioners are innocent, they have been falsely implicated in the present case and they are having a clean antecedent. The learned counsel for the petitioners has further submitted, by referring to the injury report of the informant annexed as Annexure-3 to the present petition, that the injuries sustained by the informant has been found to be simple in nature. It is also submitted that the present case arises out of case and counter case.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials



available on record as also considering the fact that a general and omnibus allegation has been levelled against the accused persons including the petitioners herein, the injuries sustained by the informant has been found to be simple in nature and the petitioners are having a clean antecedent, I deem it fit and proper to admit the petitioners herein to the privilege of anticipatory bail.

Accordingly, the petitioners, above named, are directed to be released on anticipatory bail in the event of their arrest/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 Chief Judicial Magistrate, Saran at Chapra in connection with Chapra Town P.S. Case No. 713 of 2022, subject to the conditions as stipulated under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

S.Sb/-

U		T	
---	--	---	--

