

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48214 of 2023

Arising Out of PS. Case No.-312 Year-2023 Thana- MOTIHARI MUFASIL District- East
Champaran

=====

PRIYANSHU KUMAR @ PINKU SON OF RAJU PRASAD R/O- WARD
NO. 2, AYODHYA NAGAR, KOLUHARWA, NEAR NAKCHHED MAHTO
SCHOOL ROAD, MOTIHARI TOWN, DISTT.-EAST CHAMPARAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Asif Kalim, Advocate

For the Opposite Party/s : Mr.Lalan Kumar, APP

=====

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

- 2 11-08-2023 1. Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.
2. This is an application for grant of anticipatory bail
in connection with Muffasil PS case no. 312 of 2023, registered
for the offences punishable under Section 384 and other allied
sections of the Indian Penal Code.
3. The allegation is regarding one co-accused person
namely Sunny Sarraf having demanded a sum of Rs. 5 lacs from
the informant and having threatened the informant with dire
consequences, in case of non-fulfilment of the demand,
whereafter the said Sunny Sarraf along with 08 FIR named and
15-20 unknown miscreants had arrived at the house of the
informant and then they had snatched cash and golden chain of



the informant, as also had assaulted the informant.

4. The learned counsel for the petitioner submits that the petitioner is innocent, he has been falsely implicated in the present case and is having a clean antecedent. The learned counsel for the petitioner has further submitted that as far as the petitioner is concerned, he has not been alleged to have engaged in any sort of specific overt act and a general and omnibus allegation has been levelled against him, hence, he be granted the privilege of anticipatory bail.

5. *Per contra*, the learned APP for the State has vehemently opposed the prayer for bail.

6. 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 petitioner and he has not been alleged to have engaged in any sort of specific overt act, apart from the fact that the petitioner is having a clean antecedent, I deem it fit and appropriate to admit the petitioner to the privilege of anticipatory bail.

7. Accordingly, the abovenamed petitioner, in the event of his arrest or surrender before the court below within a



period of six weeks from the date of receipt/ production of a copy of this order, is directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned court of Chief Judicial Magistrate, Motihari (East Champaran) in connection with Muffasil PS case no. 312 of 2023, subject to the conditions as laid down under Section 438(2) of Code of Criminal Procedure.

(Mohit Kumar Shah, J)

rinkee/-

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

