

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51446 of 2022

Arising Out of PS. Case No.-267 Year-2022 Thana- JAKKANPUR District- Patna

RISHIKESH TIWARI Son of Late Lalan Tiwary Resident of Nainezor P.S-
Nainezor, Dist- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Raj Kishor Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

3 12-01-2023 Heard Mr. Ansul, learned counsel for the petitioner
and the State.

The petitioner apprehends his arrest in connection with Jakkanpur P.S. Case No. 267 of 2022 for the offence registered under Sections 419, 420, 384 and 379/34 of the Indian Penal Code.

As per the prosecution story, the allegation is that three persons came in the hotel, presented themselves as police personnel and demanded Rs. 1 lakh. However, the informant dialed Jakkanpur police station and when the accused person saw the returned call of the concerned police station, acknowledging that it belongs to the Jakanpur police station, they retreated but not before snatching the mobile phone of the informant.

Learned counsel for the petitioner submits that he was



visiting the Hotel to have food but due to some dispute with the owner, the present case. He, however, concedes that for fear of being arrested, he did tried to escape from his house for which he has been burdened with another criminal case and has already suffered by being put under suspension. It is his last submission that irrespective of the outcome of the present petition, on instruction, the petitioner would like to deposit Rs. 25,000/- to the account of Bihar State Legal Services Committee through demand draft issued by the local branch of State Bank of India.

Learned APP for the State opposes the prayer for bail and submits that the allegation against the petitioner is that of demanding Rs. 1 lakh which is unbecoming for a police personnel and as such, he opposes the prayer for anticipatory bail.

Taking into account the fact that the petitioner has already been put under suspension and ultimately, he will have to face the music and would be available before the police as and when required, this Court is inclined to grant him relief subject to payment of Rs. 25,000/- as stated above.

Let the petitioner, in the event of arrest or surrender within a period of four weeks from the date of receipt of the



order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Patna in connection with Jakkanpur P.S. Case No. 267 of 2022, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Rajiv Roy, J)

Jagdish/Neha-

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