

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52889 of 2023

Arising Out of PS. Case No.-273 Year-2021 Thana- MOTIHARI MUFASIL District- East
Champaran

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Anshu Prasad @ Ansu Prasad, Son of Shakaldeo Prasad @ Sakaldev Prasad,
Resident Of Village- Dhekahan Fakira Tola (Dhekaha Fakir Tola), P.S-
Motihari Muffasil, Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajay Kumar Singh, Advocate

For the Opposite Party/s : Mr.Nagendra Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 19-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner is apprehending his arrest in connection with Motihari Muffasil P.S. Case No. 273 of 2021, registered for the alleged offences under Sections 384, 387, 120B and 506 of the Indian Penal Code.

3. As per prosecution case, extortion money of Rs.5 lacs was demanded from the informant, who used to run a brick kiln. Later on, the tractor of the informant was set on fire by unknown miscreants.

4. The learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The petitioner is not named in the FIR and the allegation



of demand of extortion is against one Rahul Sahani. The name of the petitioner came up in the supervision report of the police officer who stated about involvement of the petitioner in the occurrence. The mobile phone was recovered, but the same is in the name of one Oversiar Sahani and the name of speaker was Rahul Sahni, who used to make demand of extortion and the petitioner has nothing to do with these two persons. The informant and the petitioner belong to the same locality, but the informant did not disclose the name of the petitioner. The learned counsel further submits that there are three criminal cases against the petitioners and he has been granted anticipatory bail in two such cases.

5. Learned APP opposes the prayer for anticipatory bail made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the distinct lack of material against the petitioner and further considering the possibility of false implication, let the petitioner, above named, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the



satisfaction of learned Chief Judicial Magistrate, East Champaran, Motihari, in connection with Motihari Muffasil P.S. Case No. 273 of 2021, subject to the conditions mentioned in Section 438(2) of the Cr.P.C. and the following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

V.K.Pandey/-

(Arun Kumar Jha, J)

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