

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63181 of 2023

Arising Out of PS. Case No.-179 Year-2021 Thana- PURNIA COMPLAINT CASE District-
Purnia

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KANHAIYA RASTOGI SON OF LATE ARJUN RASTOGI RESIDENT OF
VILLAGE- PURNEA CENIMA HALL ROAD GULABBAG HANSDAH,
PS- PURNEA SADAR DISTT- PURNEA, BIHAR PROPRIETOR PURAN
DEVI TRADING COMPANY GULALBAGH PURNEA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Aamir Hayat, Adv.

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

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 19-10-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 342, 323,
384, 504, 506/34 of the Indian Penal Code.

3. The complaint of this case has filed the present
complaint while he was in judicial custody in connection with
Kasba P.S. Case No. 12 of 2021, alleging therein that the
petitioner and other accused persons abused and assaulted him
and snatched his handbag containing valuable articles, including
the cash and jewelry. They also obtained his signature on two
stamp papers as well as plain papers. It is further alleged that the



petitioner demanded extortion of Rs. 5 Crores.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. No such occurrence as alleged ever took place. He has been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. It is further submitted that with regard to the same occurrence, two complaints have been filed, one by the informant and one by another, who were in judicial custody. He further submits that petitioner is a reputed business man. He is the proprietor of Puran Devi Trading Pvt. Ltd. and he also pays Income Tax more than Rs. 24 lacs, which is evident from Income Tax Return Acknowledgment enclosed at Annexure 2 of the bail application. He has been made accused in the present case merely due to business rivalry. Petitioner has criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond



of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with C.A. No. 179 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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