

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56583 of 2023

Arising Out of PS. Case No.-397 Year-2022 Thana- SARAI District- Vaishali

RAJNISH KUMAR @ GOLU @ KHARDUSHAN S/O SHATRUGHAN
THAKUR R/O VILLAGE- MANI BHAKURHAR, PS. SARAI, DIST.
VAISHALI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Awadhesh Kumar Singh, Adv.

For the Opposite Party/s : Mr.Ramchandra Sahni, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 15-09-2023 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 341, 379, 504, 34 of the Indian Penal Code and 27 of Arms Act.

3. The prosecution case, in brief, is that on 17.11.2022 at 4 P.M., when the informant was sitting at his Darwaza, petitioner along with one Deepu Kumar came on motorcycle and asked the informant to give him *rangdari* of Rs. 2 lacs by pointing pistol on the informant's head. Thereafter, they snatched golden chain worth Rs. 1 lac from the neck of the informant and threatened him if you fail to pay Rs. 2 lacs within three days, you will be killed.



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 totally false and based on concocted facts. There is old enmity between the parties due to Panchayat election. Petitioner has also filed Sarai P.S. Case No. 398 of 2022 against the informant and others. Petitioner has one criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposes the prayer for bail and submits that petitioner has suppressed his criminal antecedent, as the petitioner has three criminal antecedents, but in Para 3 of the bail application, only one criminal antecedent got mentioned.

6. Having regard to the facts and circumstances of the case and considering the argument of the parties, 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 Sarai P.S. Case No. 397 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

7. The learned Court below is directed to verify the criminal antecedent of the petitioner and if it is found that the petitioner is involved in more than one case, the bail bond of the petitioner shall not be accepted by the learned Court below.

8. Accordingly, this application stands disposed of.

(Anjani Kumar Sharan, J)

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