

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58138 of 2023

Arising Out of PS. Case No.-55 Year-2023 Thana- NIMACHANDPURA District- Begusarai

1. Munna Poddar, aged about 43 years, Male, S/O Dashrath Poddar R/O Village- Nima, P.S- Nima Chandpura Bariyarpur, Distt.- Begusarai.
2. Siddarth Kumar @ Lado, aged about 19 years, Male, S/O Munna Poddar R/O Village- Nima, P.S- Nima Chandpura Bariyarpur, Distt.- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Braj Bhushan Poddar, Advocate

For the Opposite Party/s : Mr. Tarkeshwar Nath Thakur, A.P.P.

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 13-09-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehends arrest in connection with Nimachandpura P.S. Case No. 55 of 2023 dated 04.05.2023, instituted for the offence punishable under Sections 341, 323, 504, 506, 584/34 of the Indian Penal Code.

3. The prosecution case, in short, is that on 03.05.2023 at about 7:00 P.M., when the informant was going to attend the marriage ceremony at the house of Ghutar Mahto then the petitioners along with one other co-accused person armed with rod and weapons intercepted the informant and started abusing and told that he has not paid the *Rangdari* tax of Rs.



50,000/-. Thereafter, they assaulted the informant. It is further alleged that the petitioner no. 1 asked the other accused persons to kill him. Thereafter, co-accused, Amar Poddar, assaulted the informant with iron rod on his head causing injury. Other accused persons also assaulted with *lathi* and butt of the pistol.

4. Learned counsel for the petitioners submits that the petitioners are innocent and they have been falsely implicated in this case due to village politics. Specific allegation of assault on head of the informant with iron rod is against co-accused Aman Poddar and not against this petitioners. It is further submitted that all injuries are simple in nature except one injury. It is also submitted that the allegation of extortion is not found true by the police during investigation. However, the police after investigation has found the case under Section 307 of the Indian Penal Code also. It is further submitted that the petitioners and the informant are agnates and next door neighbours. Lastly, it has been submitted that they have clean antecedents.

5. Learned A.P.P. has opposed the prayer for bail of the petitioners.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of



six weeks from today, in connection with Nimachandpura P.S. Case No. 55 of 2023, they shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned J.M.F.C, Begusarai, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

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