

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61016 of 2023**

Arising Out of PS. Case No.-312 Year-2023 Thana- MOTIHARI MUFASIL District- East
Champaran

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1. Munna Kumar @ Chhotu Kumar Son Of Awadhesh Raut Resident Of Village- Miscout, Near Sai Mandir Ps- Town Motihari Dist- East Champaran
 2. Rajan Kumar Son Of Dinesh Kumar @ Dinesh Sah Resident Of Village- Raghunathpur, Ps- Town Motihari, Distt- East Champaran

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Karandeep Kumar, Advocate

For the Opposite Party : Mr. Nirmal Kumar Sinha, A.P.P.

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 11-10-2023 Heard learned counsel for the petitioners and
learned A.P.P. for the State.

2. The petitioners apprehend arrest in connection with Motihari Muffasil P.S. Case No. 312 of 2023 dated 23.04.2023, instituted for the offence punishable under Sections 147, 149, 341, 323, 324, 384 and 506 of the Indian Penal Code.

3. As per case of prosecution, another co-accused, namely, Sunny Sarraf demanded extortion money of Rs. 5,00,000/- (Five Lakhs) from the informant and on non-fulfillment of the demand he attacked the house of the informant along with petitioners and other co-accused



persons. They took away Rs. 50,000/- (Fifty Thousand) cash and a gold chain from the informant. It is further alleged that while fleeing away from the spot, the assailants left behind five motorcycles at the house of the informant.

4. Learned counsel for the petitioners submits that the petitioners are innocent and they have falsely been implicated in this case. It is submitted that there is a specific allegation of extortion of money against co-accused, namely, Sunny Sarraf. It is further submitted that the allegation against the petitioners is general and omnibus in nature. It is further submitted that the similarly situated person, namely, *Prince Kumar @ Prince Kumar Soni* has been granted bail by a co-ordinate Bench of this Court *vide order dated 06.10.2023* passed in *Cr. Misc. No. 57558 of 2023*. Lastly, it has been submitted that they have no criminal 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 petitioners within a period of six weeks from today, in connection with Motihari Muffasil P.S. Case No. 312 of 2023, they shall be released on



anticipatory bail upon furnishing bail bonds of Rs. 10,000/-
(ten thousand) each with two sureties of the like amount each
to the satisfaction of the learned Chief Judicial Magistrate,
East Champaran at Motihari, subject to condition as laid down
under Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

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