

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59092 of 2023

Arising Out of PS. Case No.-104 Year-2022 Thana- DARBHANGA District- Darbhanga

1. ASHRAF @ RINKU @ MD. ASHRAF HUSSAIN Son of Rajik @ Razique Hussain R/o vill Bheluchak, P.S. - Sadar, Distt. - Darbhanga
2. Neyaz Quaraishi @ Neyaz Ahmad Son of Rajik @ Razique Hussain R/o vill Bheluchak, P.S. - Sadar, Distt. - Darbhanga

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anjani Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Pushpa Sinha, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 01-11-2023 Learned counsel for the petitioners is permitted to remove the defect(s), as pointed out by the office, if any, within a period of three weeks from today.

2. Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

3. The petitioners are apprehending their arrest in a case in connection with Town P.S. Case No. 104 of 2022 dated 04.05.2022 registered for the offences punishable u/ss 147, 341, 323, 384, 506, 379 and 448 of the Indian Penal Code.

4. As per the prosecution case, the petitioners and the co-accused persons are alleged to have demanded Rs. 5,00,000/- as *Rangdari*. It is further alleged that the accused persons



forcibly entered the house of the informant and looted Rs. 15,000 and a golden chain worth Rs. 50,000/-

5. Learned counsel for the petitioners has submitted that the petitioners have falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioners. The allegation against the petitioners is ornamental and no offence under section 384 of the IPC is made out against the petitioners. There is general and omnibus allegation against the petitioners. The petitioner no. 1 has no criminal antecedent and the petitioner no. 2 is also accused in one more criminal case as stated at para 3 of the bail petition.

6. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioners.

7. Considering the aforesaid facts and circumstances of the case, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees Twenty thousand) each with two sureties of the like amount each to the satisfaction of learned court concerned, Darbhanga in connection with Town P.S. Case No. 104 of 2022, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.



8. This application stands allowed.

(Chandra Prakash Singh, J)

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