

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60461 of 2023

Arising Out of PS. Case No.-235 Year-2023 Thana- PHULPARAS District- Madhubani

1. Shuddu Kumar Son Of Late Dev Prasad Permanent Address - Resident Of Village - Kanchangarh, Post - Bank, P.S. - Mufasil, District - Munger, Presently Posted As A Technical Assistant, Panchayati Raj Department, Jaynagar, Temporary Address - Residence Of Mohalla - Kankarbagh, Road No.08/A, Ashok Nagar, P.S. - Kankarbagh, District - Patna
2. Nitish Kumar Siingh @ Nitish Singh Son Of Indranarayan Singh Residece Of Village And Post - Auraha, P.S. - Laukhi, District - Madhubani

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhay Kumar

For the Opposite Party/s : Mr. Ram Sevak Choudhary

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 13-10-2023 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 386, 504 and 506 of the Indian Penal Code and Section 66 of the N.I. Act, 2000.

3. As per prosecution case, the allegation against the petitioners are that they called the informant many times on phone and allegation against petitioner no. 1 is that he



demanded extortion from the informant and abused him and also threatened to kill him.

4. It is submitted by learned counsel for the petitioners that petitioners are falsely been implicated in this case. Petitioner No. 2 has got no criminal antecedent whereas petitioner no. 1 has one criminal antecedent as mentioned in Para 3 of the application. There is no specific over act against petitioner no. 2 rather there is general and omnibus allegation against the petitioner no. 2.

4. Learned APP for the State opposes the prayer for anticipatory bail of the petitioners and submits that the petitioner no. 1 has demanded extortion from the informant.

5. Having regard to the facts and circumstances of the case, let the above named petitioner no. 2, 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 Phulparas P.S. Case No. 235 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.



6. Considering the facts and circumstances of case, I am not inclined to enlarge petitioner no. 1 on anticipatory bail. The prayer for anticipatory bail of the petitioner no. 1 is hereby rejected.

(Anjani Kumar Sharan, J)

Ranjeet/-

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