

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63493 of 2022

Arising Out of PS. Case No.-236 Year-2022 Thana- KALYANPUR District- Samastipur

1. Amit Kumar Choudhary Son of Late Vinod Chaudhary Resident of Mohalla - Gola Road, Town P.S., District - Samastipur
2. Prabhat Kumar @ Prabhat Choudhary Son of Late Vinod Chaudhary Resident of Mohalla - Gola Road, Town P.S., District - Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashhar Mustafa, Advocate

For the Opposite Party/s : Mr. Uday Pratap Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 04-07-2023 Heard learned counsels for the petitioners, informant and the State.

Petitioners apprehend arrest in a case registered for the offences punishable under Sections 341, 323, 307, 467, 385, 386, 504, 506/34 of the Indian Penal Code.

As per F.I.R., informant was kidnapped by six unknown miscreants and was brought at an unknown poultry farm where he was assaulted by means of iron rod and these petitioners took away Rs. 1000/- from the informant. It is further alleged that petitioner No. 2 demanded Rs. 1,00,000/- as extortion to execute sale deed and called the wife of the informant from informant's mobile and took away Rs. 6,000/-



from her. He also took LTI on non-judicial stamp and took away photo copy of the Aadhaar Card.

Learned counsel appearing for the petitioners submits that petitioners have a wholesale business of tea. Informant was their customer and there was due of Rs. 2,80,000/- to be paid to the petitioners. Despite all the efforts, when petitioners could not recover the said amount, a legal notice was served to the informant on behalf of the petitioners on 08.04.2022 and in the aforesaid background, petitioner No. 1 formally presented a complaint, bearing CR No. 1203 of 2022 under Sections 406, 420, 34 of the Indian Penal Code against the informant, In retaliation, this false and concocted case has been lodged against the petitioners. Petitioners have got clean antecedent.

Learned counsel for the informant vehemently opposes the bail application.

Considering the aforesaid facts and circumstances, this anticipatory bail is allowed and it is ordered that the above named petitioners in the event of their arrest/surrender before the court below within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Samastipur in



connection with Kalyanpur P. S. Case No. 236 of 2022, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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