

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70424 of 2023

Arising Out of PS. Case No.-35 Year-2023 Thana- SAHAYAK NAGAR District- Katihar

Bihari Kumar @ Bihari Kumar Mahto Son Of Jamun Mahto, resident of
Village- Chandan Nagar Ps- Barari Dist- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Singh, Advocate

For the Opposite Party/s : Mr. Md. Matloob Rab, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 01-11-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with
Katihar Nagar Sahayak P.S. Case No. 35 of 2023 dated
15.01.2023 instituted for the offence punishable under Sections
384, 386/34, 411 of the Indian Penal Code.

3. The prosecution case, in short, is that on
14.01.2023, the informant along with his brother and father
went to Katihar for appearing in written test for the recruitment
in Army. When they arrived at G.R.P. Chawk, the petitioner
along with 3 to 4 persons followed the informant and his
brother. They demanded extortion money from them. When the
informant reached at BMP gate, then the petitioner along with
Amarjeet came there on his motorcycle and stopped them. They



demanded Rs. 1,00,000/- from them, otherwise they will not to appear in the exam. They assaulted them and snatched his mobile.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. It is further submitted that specific allegation is against the co-accused, namely, Amarjeet Singh, who snatched the mobile of the informant and the said mobile was recovered from his house. Learned counsel for the petitioner submits that the petitioner has no concern with the said mobile or with Amarjeet Singh. Learned counsel for the petitioner submits that Amarjeet Singh was the owner of the Coaching Centre where the petitioner was also studying. Learned counsel for the petitioner submits that specific allegation is against Amarjeet Singh, who was running the institute of Army Examination and the informant was well known to each other. Lastly, it has been submitted that petitioner has no criminal antecedents.

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

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 Katihar Nagar Sahayak P.S. Case No. 35 of 2023, he will 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 C.J.M., Katihar subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

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