

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71429 of 2023

Arising Out of PS. Case No.-55 Year-2023 Thana- ALOULI District- Khagaria

1. SAVITRI DEVI WIFE OF SIKANDAR SINGH RESIDENT OF VILLAGE - BUDHWA PARRI, P.S. - ALAULI, DISTRICT – KHAGARIA.
2. DHIRENDRA KUMAR SINGH SON OF VINO SINGH @ BIJO SINGH RESIDENT OF VILLAGE - BUDHWA PARRI, P.S. - ALAULI, DISTRICT – KHAGARIA.
3. KUNDAN SINGH @ KUNDAN KUMAR SINGH SON OF VINO SINGH @ BIJO SINGH RESIDENT OF VILLAGE - BUDHWA PARRI, P.S. - ALAULI, DISTRICT – KHAGARIA.
4. SUNDAN SINGH @ SUNDAN KUMAR SON OF VINO SINGH @ BIJO SINGH RESIDENT OF VILLAGE - BUDHWA PARRI, P.S. - ALAULI, DISTRICT – KHAGARIA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Sumiran Rai
For the Opposite Party/s : Mr.Manoj Kumar

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 03-11-2023 Heard learned counsel for the petitioners and
learned A.P.P. for the State.

2. The petitioners are apprehending their arrest in connection with Alauli P.S. Case No. 55/2023 registered for the offences punishable under Sections 341, 323, 504, 447, 384, 506, 308/34 of the Indian Penal Code.

3. As per prosecution case, the petitioner and others are said to have started constructing toilet on his land. On protest, all the accused persons assaulted the informant with



bamboos and demanded extortion of Rs.50,000/-

4. Learned counsel for the petitioners submits that petitioners are innocent and have committed no offence as alleged in the FIR and they have falsely been implicated in this case. The petitioners bear no criminal antecedent. He further submits that due to petty dispute scuffle took place between the parties. The toilet in question was being constructed under the Scheme of Gram Panchayat and for which present Mukhiya of the Gram Panchayat has also lodged FIR bearing SC/ST P.S. Case No. 04/2023 against the informant and others. All injuries are simple in nature. He further submits that on similar and identical allegation, co-accused Pappu Singh @ Ram Narayan Singh has already been granted anticipatory bail by the co-ordinate Bench of this Court vide Cr. Misc. No.55551/2023 and on the principle of parity, the petitioners also deserve same treatment. He further submits that in the light of the aforesaid submission, no case is made out against the petitioners under the aforesaid sections.

5. The learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

6. Considering the facts and circumstances of the case, keeping in view clean antecedent of petitioners, co-



accused has already been granted anticipatory bail, argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Khagaria in connection with Alauli P.S. Case No. 55/2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Alok Kumar Pandey, J)

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