

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73427 of 2022

Arising Out of PS. Case No.-3209 Year-2016 Thana- PATNA COMPLAINT CASE District-
Patna

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1. SANJAY GAUTAM S/O Mr. Vishwanath Sharma R/O Mohalla Campus of Birla Mandir P.S Pirbahore District- Patna
 2. Bishwanath Sharma S/O Late Onkar Dutt Shastri R/O Mohalla Campus of Birla Mandir P.S Pirbahore District- Patna
 3. Sachidanand Prasad S/O Late M. Prasad R/O Mohalla Campus of Birla Mandir P.S Pirbahore District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Archana Sinha @ Archana Shahi
For the Opposite Party/s : Mr.Narendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 19-01-2023 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.

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

The petitioners are apprehending their arrest in a case registered for the offences punishable u/s 323, 341, 379, 504 and 506 of the Indian Penal Code.

As per prosecution case, the petitioners along with the co-accused persons came to the shop of the informant and demanded Rs. 5 lakhs as *rangdari* and also threatened him.



Thereafter, on 30.09.16, the petitioners along with other accused persons came to the shop of the informant and assaulted him and the petitioner Sanjay Gautam took away Rs. 19,000/- from the informant's shop and the petitioner Sachidanand Prasad snatched his mobile phone on the gun point.

Learned counsel for the petitioners has submitted that the petitioners have falsely been implicated in this case. All the offenses alleged are bailable except the alleged offense under section 379 of the Indian Penal Code. Learned counsel has submitted that the allegation of theft is superficial and ornamental in nature. The petitioner no. 2 is a senior citizen aged about 87 years. The petitioners have no criminal antecedent as stated in para 15 of the bail petition.

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

Considering the aforesaid facts and circumstances, 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, Patna in connection with Complaint Case No. 3209(c) of 2016, subject to



conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

This application stands allowed.

(Chandra Prakash Singh, J)

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