

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71877 of 2022

Arising Out of PS. Case No.-282 Year-2022 Thana- KHAIRA District- Saran

Mithilesh Kumar Ray @ Mithilesh Rai S/o Sri Sakaldeo Ray R/v- Affaur,
P.S.- Khaira O.P. Nagra, District- Chapra (Saran)

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Vaishnavi Singh, Advocate

For the Opposite Party/s : Mr.Ram Priya Sharan Singh, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 29-04-2023 Heard the learned counsel for the
petitioner and learned APP for the State.

This is an application for grant of anticipatory bail in connection with Khaira (Nagra) P.S. Case No.282 of 2022, registered for offences under Sections 385, 506/34 of the IPC and Section 27 of the Arms Act.

The allegation is regarding the accused persons, including the petitioner herein having arrived at the house of the informant, whereafter they had demanded extortion money to the tune of Rs.5 lakh and had told the informant that since he had won the Panchayat election, his ego has



inflated, whereafter they had fired gunshots, however, the gunshot did not hit the informant. It is also alleged that the petitioner had also fired at the informant, however, luckily the bullet did not hit the informant.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case and he is having a clean antecedent. The learned counsel for the petitioner has further submitted that a fictitious story has been created only with oblique motive and there is no material on record to show that the gunshot fired by the petitioner hit the informant, hence the petitioner is not having any complicity in the matter.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case as also taking into consideration the materials available on record and considering the fact that a general and omnibus allegation has been levelled against the



petitioner, I deem it fit and proper to direct for release of the petitioner on anticipatory bail.

Accordingly, the above named petitioner is directed to be released on anticipatory bail in the event of his arrest/surrender before the court below within a period of four weeks from today, on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Chapra (Saran) in connection with Khaira (Nagra) P.S. Case No.282 of 2022, subject to the conditions as stipulated under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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