

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15182 of 2024

Arising Out of PS. Case No.-128 Year-2023 Thana- SHANKARPUR District- Madhepura

1. CHHOTE LAL YADAV SON OF LATE KHUSHI LAL YADAV R/O-JITPUR, P.S.-SHANKARPUR, DISTT.-MADHEPURA
2. VIKASH KUMAR SON OF CHHOTE LAL YADAV R/O-JITPUR, P.S.-SHANKARPUR, DISTT.-MADHEPURA
3. ASHISH KUMAR @ ASHISHI ANAND SON OF CHHOTE LAL YADAV R/O-JITPUR, P.S.-SHANKARPUR, DISTT.-MADHEPURA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uday Chand Prasad, Advocate
For the Opposite Party/s : Mr. Dashrath Mehta, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 14-03-2024 **1.** Heard learned counsel appearing on behalf of the petitioners and learned Additional Public Prosecutor appearing on behalf of the State.

2. The accused/petitioners are named in the F.I.R. and apprehending their arrest in connection with Shankarpur P.S. Case No. 128 of 2023 registered for the offences punishable under Sections 341, 323, 353, 385, 379, 324, 504 and 34 of the Indian Penal Code.

3. The allegation against the petitioners is to demand extortion for Rs. 50,000/- from the headmaster of



local government school for smooth construction of school building and toilet and when same was objected, petitioners alongwith other co-villagers assaulted informant causing bodily injuries and also to torn the attendance register of students and teachers.

4. Learned counsel appearing on behalf of the petitioners submitted that petitioners have been falsely implicated with the present case, where dispute arises out of local disputes and differences. It is further submitted that present occurrence is of free fight in nature, where both parties received injuries and for the same set of occurrence wife of petitioner no. 1 also lodged a counter case, which has been registered as Shankarpur P.S. Case No. 129 of 2023, where petitioner received serious injuries. It is submitted that no such extortion money was ever paid to the petitioners. It is also submitted that allegation of destroying the attendance register and physical assault is appearing very much general and omnibus against petitioners. While concluding the argument it is submitted that all petitioners are of clean antecedent.



5. Learned APP appearing on behalf of the State, opposes the prayer for bail.

6. In view of the facts and circumstances as mentioned above and by taking note of the fact, as allegation of physical assault and destroying of school attendance register is appearing very much general and omnibus against petitioners, accordingly all the petitioners above named, in the event of their arrest or surrender before the learned Court within a period of four weeks, are directed to be released on bail, 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 Additional Chief Judicial Magistrate-I, Madhepura/concerned Court where the case is pending in connection with Shankarpur P.S. Case No. 128 of 2023 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Chandra Shekhar Jha, J.)

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