

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17348 of 2024

Arising Out of PS. Case No.-595 Year-2023 Thana- SIWAN CITY District- Siwan

Pir Mohammad S/O Islam Dhobi R/O Muhalla- Laxmipur, P.S- Siwan Town,
Distt.- Siwan.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajiv Kumar

For the Opposite Party/s : Mr.Sanjay Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 21-03-2024 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 341, 323,
506, 387, 307 and 34 of the Indian Penal Code and Section 27
of Arms Act.

3. Learned counsel for the petitioner submits that
petitioner has antecedents of three cases but then mere
antecedents should not persuade the court in not considering the
anticipatory bail application of the petitioner. It is further
submitted that the petitioner, because of his antecedent, has been
falsely implicated in the instant case by the informant with
general and omnibus allegation. It is also submitted that specific
allegation of firing is against Deepak Kumar and Kishan Kumar.



It is next submitted that though there is allegation of firing in the FIR, but no one was injured. It is also submitted that informant also alleges that extortion of Rs. 5 lakh was demanded from him from a mobile No. 6287955686. It is submitted that neither the mobile from which extortion call came belongs to the petitioner nor the petitioner is alleged to have fired but then came to be implicated with an allegation that petitioner along with the accused persons had threatened the deceased for the purposes of extortion. It is next submitted that petitioner will not abscond rather will cooperate in the investigation.

4. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

5. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Siwan Town P.S. Case No. 595 of 2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.



6. One of the bailors shall be petitioner's father, Islam Dhobi.

7. However, it is made clear that in the event, if the Investigating Officer of the case files an application before the learned trial court bringing to its notice that the petitioner, despite giving assurance to this court, is not cooperating in the investigation or is not presenting himself when required, in that event, the learned trial court shall forth with cancel the bail bonds of the petitioner and ensures that all coercive steps are taken to put the petitioner behind bars.

8. Let a copy of this order be communicated to the Superintendent of Police, Siwan

(Satyavrat Verma, J)

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