

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19442 of 2024

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

1. Akhlaque Ahamd @ Akhlaque Hussain @ Akhlaque Ahmad S/O Islam
2. Sanjeev Kumar S/O Umesh Yadav
Both Are R/O 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, Advocate
For the Opposite Party/s : Mr.Sanjay Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 08-04-2024 1. Heard learned counsel for the petitioners as well as learned APP for the State.
2. Learned counsel for the petitioners seeks permission to withdraw the anticipatory bail application with respect to petitioner no.1.
3. Permission is accorded.
4. Accordingly, the anticipatory bail application is dismissed as withdrawn as against petitioner no.1.
5. The petitioner no.2 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.
6. The learned counsel for the petitioners submit that petitioner no.2 has antecedent of one case.



7. It is further submitted that petitioner no.2 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 then 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 next submitted that neither the mobile from which extortion call was made belongs to the petitioner no.2 nor the petitioner no.2 is alleged to have fired but then came to be implicated with an allegation that petitioner no.2 along with the accused persons had threatened the deceased for the purposes of extortion. It is next submitted that petitioner no.2 will not abscond rather will cooperate in the investigation.

8. The learned APP opposes the anticipatory bail application.

9. Considering the submissions made by the learned counsel for the petitioner, the petitioner no.2 above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs.25,000/-



(Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Siwan in connection with Siwan Town P.S. Case No.595 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

10. 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.

11. Let a copy of this order be communicated to the concerned P.S.

12. The application stands allowed.

(Satyavrat Verma, J)

Prakash Narayan

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