

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20058 of 2024

Arising Out of PS. Case No.-1048 Year-2023 Thana- TURKAULIYA District- East
Champaran

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Rakesh Kumar Sahani S/o Kuldeep Chaudhary @ Kuldeep Sahani R/o Vill -
Aamapur, P.S. - Kotwa, Dist. - East Champaran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kundan Rathore, Advocate
For the Opposite Party/s : Mr. Umeshanand Pandit, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 04-04-2024 Heard learned Counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection with Turkauliya (Raghunathpur O.P.) P.S. Case No. 1048 of 2023 for the offence registered under sections 504, 506 and 384 of the Indian Penal Code lodged on 06.102.2023 by the informant, Prabhu Sahani.

3. As per the prosecution story, the informant, a lawyer conducting the case of the wife of the petitioner, lodged F.I.R. stating that he got a call from this petitioner asking for payment of Rs. 5 lakhs or he will be killed. Accordingly, the F.I.R.

4. Learned Counsel for the petitioner submits that the



being the lawyer of his wife, a small 29 seconds call is on record which related to the case between the petitioner and his wife but with oblique reason, he has been implicated by lodging of the F.I.R.

5. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail stating that demand of Rs. 5 lakhs has been made.

6. Considering the aforesaid submissions of the learned Counsel for the petitioner as also that he has no criminal antecedent, the informant is the conducting lawyer of a case between the petitioner and his wife, F.I.R. lodged, he will be facing the trial, this Court is inclined to extend him privilege of anticipatory bail.

7. Let the petitioner in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Motihari, East Champaran in connection with Turkauliya (Raghunathpur O.P.) P.S. Case No. 1048 of 2023 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member of



the petitioner, who shall provide official document to show his *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial court itself;

(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

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