

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31803 of 2024

Arising Out of PS. Case No.-585 Year-2023 Thana- MADHUBAN District- East Champaran

1. Sujeet Kumar Singh Son of Ram Babu Singh Resident of Village- Madhopur, P.S.- Madhuban, Dist.- East Champaran
2. Raghubans Singh Son of Ramadhar Singh Resident of Village- Madhopur, P.S.- Madhuban, Dist.- East Champaran
3. Nitesh Kumar Singh Son of Ramadhar Singh Resident of Village- Madhopur, P.S.- Madhuban, Dist.- East Champaran

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar, Adv

For the Opposite Party/s : Mr. Syed Mojibur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 23-05-2024 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Madhuban P.S Case No. 585 of 2023 dated 28.11.2023 registered for the offence punishable u/s 147, 148, 149, 341, 323, 324, 307, 385, 504 and 506 of the Indian Penal Code.

3. As per the prosecution case, the petitioner and the co-accused person holding weapons came and started abusing the informant and they also demanded Rs. 10,00,000/- as extortion money (*rangdadi*) from the informant. When the



informant stated to them that Nitesh Kumar and Chandrashekhar have executed the said land in his favour, then accused Amit Kumar Singh with an intention to commit murder gave repeated blow of *farsa* on the head of the informant due to which he sustained head injury, when the son of the informant came to rescue him, all the accused persons brutally assaulted him due to which he sustained injury on his chest. Further, accused Sumit Kumar and Nitesh Kumar wrapped the *gamcha* around the neck of the informant's son with an intention to kill him. In the meantime, the accused Kundan Kumar Singh fired on the informant's son.

4. Learned counsel for the petitioners has submitted that the petitioners have falsely been implicated in this case. There is no specific allegation against the petitioners. Learned counsel has further submitted that there is a case and counter case between the parties and the petitioners side also lodged a F.I.R. bearing Madhuban P.S. Case No. 586 of 2023 against the informant and others and as per the F.I.R. itself, there is a land dispute between the parties. The injury which was sustained by the injured are simple in nature. The petitioners have no criminal antecedent as stated in para 3 of the bail petition.

5. Learned A.P.P. for the State has vehemently



opposed the prayer of anticipatory bail of the petitioners.

6. Considering the aforesaid facts and circumstances of the case, as well as the nature of allegation levelled against the petitioners, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees Twenty thousand) each with two sureties of the like amount each to the satisfaction of learned Court concerned, East Champaran in connection with Madhuban P.S Case No. 585 of 2023, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

7. This application stands allowed.

(Chandra Prakash Singh, J)

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