

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31094 of 2024

Arising Out of PS. Case No.-328 Year-2022 Thana- WAJIRGANJ District- Gaya

Prince Kumar @ Prince Singh Son Of Dhirendra Singh Resident Of Village-
Aru, Ps- Wazirganj, Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Praveen Kumar, Advocate

For the Opposite Party/s : Mr. Gauri Shankar Gupta, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 21-05-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with
Wazirganj P.S. Case No. 328 of 2022 dated 05.07.2022 instituted
for the offence punishable under Sections 341, 323, 385, 386, 504,
379 of the Indian Penal Code.

3. The prosecution case, in short, is that on 04.07.2022
at about 08.30 pm, the petitioner made a phone call to the
informant and demanded Rs. 10,000/- per month as ransom.
Thereafter on next day, the petitioner called the informant at
Training School at Mangur, where other accused persons armed
with pistol and knife, were also present there. Thereafter, they
demanded money from the informant, but the informant refused.
Then, the petitioner and other accused persons snatched gold chain



and Rs. 70,350/- from the informant.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. Learned counsel for the petitioner submits that there is a case and counter case between the parties. Counter case i.e. Wazirganj P.S. Case No. 336 of 2022 dated 09.07.2022 has been lodged by the father of the petitioner against the informant and others. Learned counsel for the petitioner submits that the allegation against the petitioner, as per the F.I.R., is that he demanded extortion money which has not been paid by the informant, due to which scuffle took place between the parties. Learned counsel for the petitioner submits that the petitioner has not demanded any money from the informant. In the F.I.R., the petitioner is said to have been armed with pistol which has been added to make the case serious, but police has not levelled any section of Arms Act. Learned counsel for the petitioner submits that the petitioner and the informant are the resident of same locality. There is no assault on the person of informant though seven persons are said to have been present at the time of occurrence. Petitioner has not snatched any money from the informant. Lastly, it has been submitted that petitioner has two criminal cases against him.

5. Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner.



6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Wazirganj P.S. Case No. 328 of 2022, he will be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. 1st Gaya subject to condition as laid down under Section 438(2) of the Cr.P.C, as well as the following conditions:-

I. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

II. One of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife.

III. The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the



proceeding for cancellation of bail on ground of misuse.

IV. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Khatim Reza, J)

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