

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26460 of 2024

Arising Out of PS. Case No.-256 Year-2023 Thana- SARMERA District- Nalanda

1. Pappu Singh @ Mritunjay Kumar Son of Bachchu Singh Resident of vill.- Pyarepur, P.S.-Samera, Distt.-Nalanda
2. Pranav Kumar Son of Pappu Singh @ Mritunjay Kumar Resident of vill.- Pyarepur, P.S.-Samera, Distt.-Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shivam, Advocate

For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 09-08-2024 Heard Mr. Shivam, learned counsel appearing on behalf of the petitioners and Mr. Bhanu Pratap Singh, learned APP appearing on behalf of the State.

2. The petitioners apprehend their arrest in connection with Sarmera P.S. Case No. 256 of 2023 registered for the offence(s) punishable under Sections 341, 323, 325, 307, 385, 387, 504, 506 and 34 of the Indian Penal Code.

3. As per the allegation made in the FIR in course of construction of a school building, the petitioners, along with other co-accused persons demanded ten percent ransom on account of ongoing construction work of school building from the contractor.



4. Learned counsel appearing on behalf of the petitioners submitted that petitioners are innocent and have falsely been implicated in the present case. Learned counsel further submitted that the villagers, including the petitioners, have objected the sub-standard work being carried out in the construction of school building, which led to the filing of the FIR. The petitioners have clean antecedent. One co-accused has already been granted bail by this Court vide order dated 24.04.2024 passed in Cr. Misc. 25273 of 2024. On these grounds, petitioners seek to be released on pre-arrest bail.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Considering the nature of allegation, as also the fact that due to the objection raised by the petitioners in respect of the sub-standard work being carried out in the construction of school building, the present case has been lodged against the petitioners, I am of the opinion that petitioners have, *prima facie*, made out a case to be released on pre-arrest bail.

7. The learned District Court is directed to release the petitioners on anticipatory bail, in the event of their arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/-



(Ten thousand) each with two sureties of the like amount each, to the satisfaction of learned Chief Judicial Magistrate, Nalanda/successor Court in connection with Sarmera P.S. Case No. 256 of 2023, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

8. The District Court is directed to verify the criminal antecedent of the petitioners, as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioners, as what has been stated in paragraph no. 3, this order will lose its force automatically.

(Purnendu Singh, J.)

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