

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34680 of 2024

Arising Out of PS. Case No.-171 Year-2023 Thana- NIMACHANDPURA District- Begusarai

1. Dheeraj Ram @ Dheeraj Kumar son of Panchu Ram @ Panchu Mochi Village- Chatauna Ps- Nawkothe Dist- Begusarai
2. Pankaj Ram @ Pankaj Kumar son of Panchu Ram @ Panchu Mochi Village- Chatauna Ps- Nawkothe Dist- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Braj Bhusan Poddar, Adv

For the Opposite Party/s : Mr. Satyendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 28-05-2024 Heard Mr. Braj Bhusan Poddar, learned counsel for the petitioner and Mr. Satyendra Prasad, learned Additional Public Prosecutor for the State.

2. The petitioners apprehend their arrest in connection with Nimachandpura Police Station Case No. 171 of 2023 registered on 07.12.2023 for the offences punishable under Sections 323, 341, 307, 385, 386, 504 and 506/34 of the Indian Penal Code.

3. As per prosecution case, on 06.12.2023 while the informant was returning from *Hat* (market) on his scooty with his friend, petitioners along with other accused persons intercepted him and demanded extortion amount of Rs.



50,000/-. In the meanwhile, co-accused, Saurabh Mochi assaulted the informant with pistol's butt on his head. When friend of the informant, namely, Abhishek Kumar intervened in the matter, petitioner no.2, Pankaj Ram assaulted him with iron rod causing injury on his head. It is also alleged that petitioner no.1, Dheeraj Ram snatched Rs. 4500/- from the pocket of the informant.

4. Learned counsel for the petitioners submits that the petitioners have falsely been implicated in this case on the basis of concocted story due to some dispute regarding purchase of vegetables in the *Hat* (market). The injury caused to the victim is simple in nature. There is no allegation against the petitioner no.1 of assault upon the informant or on his friend. Section 307 IPC is not made out at least against petitioner no.1. Learned counsel further submits that the petitioners have got clean antecedent.

5. Regard being had to the submissions made on behalf of the parties and taking into consideration the fact that there is no allegation of assault against petitioner no.1 and assault made, allegedly, by petitioner no.2 upon Abhishek Kumar, friend of the informant, is simple in nature, I am inclined to grant the petitioners privilege of anticipatory bail.



6. Accordingly, let the petitioners, named above, in the event of their arrest or surrender before the Court below within six weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Miss Masoom Khanam, Judicial Magistrate 1st -cum-Addl. Munsif-IIIrd, Begusarai,/the court concerned in connection with Nimachandpura Police Station Case No. 171 of 2023, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

perwez

U		T	
---	--	---	--

