

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31241 of 2024

Arising Out of PS. Case No.-318 Year-2023 Thana- BAHERA District- Darbhanga

1. Raushan Kumar @ Raushan Kumar Jha S/o Satish Jha @ Satish Kumar Jha R/o VILL- NAVADA PS- BAHERA, DISTT -DARBHANGA
2. Prakash Kumar Jha S/o Satish Jha @ Satish Kumar Jha R/o VILL- NAVADA PS- BAHERA, DISTT -DARBHANGA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Manoj Kumar, 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 Bahera P.S Case No. 318 of 2023 dated 25.07.2023 registered for the offence punishable u/s 341, 323, 379, 385, 386, 504, 506 and 34 of the Indian Penal Code.

3. As per the prosecution case, on 23.07.2023 at about 7:00 P.M. near the petrol pump the petitioners and the co-accused persons caught the informant and asked that why you were not paying *rangadari*. Both the petitioners snatched Rs. 15,000/- from the informant's pocket and also threatened him to send the extortion money to their house. On being objected by



the informant the accused persons assaulted him with lathi and danda. In the meantime, the co-accused Satish Kumar gave a brick blow upon the informant's head.

4. Learned counsel for the petitioners has submitted that the petitioners have falsely been implicated in this case. From the bare perusal of the injury report it is clear that no injury has been sustained by the informant. The allegation against the petitioners of demanding extortion money is false and no such incident took place neither any recovery has been made from the possession of the petitioners. There is no specific allegation against the petitioners. 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, Benipur in connection with Bahera P.S Case No. 318



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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