

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32409 of 2024

Arising Out of PS. Case No.-303 Year-2023 Thana- VISHNUPAD District- Gaya

1. Shankar Choudhary @ Shankar Kumar Chaudhary S/O Late Manki Choudhary R/O - Vill- Nailey , P.S- Magadh Medical College, Gaya, Distt- Gaya
2. Monu Sharma Son Of Umakant Sharma R/O- Mohalla- Khtkachak, P.S- Vishnupad, Distt- Gaya
3. Ranjan Yadav Son Of Late Ramjee Yadav R/O- Mohalla- Khtkachak, P.S- Vishnupad, Distt- Gaya
4. Rahul Singh Son Of Late Udai Singh R/O- Mohalla- Khtkachak, P.S- Vishnupad, Distt- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Dinesh Singh, 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 Vishnupad P.S. Case No. 303/2023 dated 04.11.2023 registered for the offences punishable u/ss 447, 323, 384, 386, 427, 504 and 506 of the Indian Penal Code.

3. As per the prosecution case, the informant along with Vijay Sinha purchased a land and they were laying the foundation of boundary, in the meantime, the petitioner no. 1, 2 and 3 came to the land of the informant and demanded Rs. 20



lacs as *rangdari*. On denial, they broke his boundary wall and took Rs. 25,000/- from his bag. Later on, all the accused persons including the petitioners came to his land and demanded Rs. 20 lacs as *rangdari*. Due to fear, the informant gave Rs. 2 lacs to the petitioner no. 1 and started constructing the boundary wall. Thereafter, all the accused persons including the petitioners again came there with arms and weapons and threatened the informant and Vijay Sinha with pistol and asked for the rest amount of Rs. 18 lacs for constructing the boundary wall.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. Learned counsel has submitted that as per the allegation and contents referred in the FIR, it is evident that for the same dispute of breaking boundary wall the informant has earlier filed Vishnupad P.S. Case No. 294 of 2023 u/s 447, 427, 385, 504 and 506 read with 34 of the I.P.C against the petitioners which is under investigation. The petitioner no. 1 and 2 are accused in two other criminal cases, the petitioner no. 3 is accused in four other criminal cases and the petitioner no. 4 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, 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, Gaya in connection with Vishnupad P.S. Case No. 303/2023, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure, with the condition:-

(i). The petitioner are directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner are liable to be cancelled.

7. This application stands allowed.

(Chandra Prakash Singh, J)

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