

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35689 of 2024

Arising Out of PS. Case No.-357 Year-2023 Thana- CHIRAIYA District- East Champaran

1. Lavkush Kumar @ Lvkush Das @ Lokush Das S/o- Vilash Das Village- Ambariya Ps- Shikarganj Dist- East Champaran
2. Shekhar Kumar son of Lalan Das Village- Ambariya Ps- Shikarganj Dist- East Champaran
3. Rakesh Das son of Vilash Das Village- Ambariya Ps- Shikarganj Dist- East Champaran
4. Sonu Bhagat @ Prakash Bhagat son of Achchelal Bhagat Village- Ruphara Ps- Shikarganj Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Krishna Kant Singh, Adv.
For the Opposite Party/s	:	Mr.Rajendra Singh, APP
For the Informant	:	Mr.Rajeev Ranjan, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 17-05-2024 Heard learned counsel for the petitioners, learned counsel for the informant and learned A.P.P. for the State.

2. The petitioners seek bail in connection with a case registered for the offence punishable u/s 147, 148, 149, 323, 324, 326, 307, 337, 338, 379, 387, 448, 504, 506 of the IPC and section 27 of the Arms Act.

3. As per FIR, all the FIR accused persons including these petitioners, who are alleged to be members of restricted MCC organization, are said to have demanded Rs.1,00,000/- as extortion from the son of the informant and on refusal, the



accused persons and 50-60 unknown persons holding weapons in their hand with an intention to commit murder made firing on the friend of son of the informant due to which he sustained injury.

4. It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have not committed any offence as alleged in the FIR. No such occurrence, in the manner as alleged, has ever taken place. They have been falsely implicated in this case due to ulterior motive. It is submitted that there is no specific allegation against the petitioners and the specific allegation of firing upon the son of the informant is against the co-accused Jay Prakash Kushwaha. There is case and counter-case between the parties. Several similarly situated co-accused have been granted regular bail by a co-ordinate Bench of this Court vide order dated 15.09.2023 passed in Cr. Misc. No.61257 of 2023. Petitioner nos.1 & 2 have no criminal antecedent and petitioner nos.3 & 4 have one criminal antecedent and they have been languishing in custody since 23.02.2024.

5. Learned APP for the State as well as learned counsel for the informant opposed the prayer for bail.

6. Considering the facts and circumstances of this case, the



above named petitioners are directed to be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/the Successor Court, in connection with Chiraiya (Shikarganj) P.S. Case No.357/2023.

7. Petitioners are directed to co-operate in the trial.

(Anjani Kumar Sharan, J)

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