

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38981 of 2024

Arising Out of PS. Case No.-194 Year-2023 Thana- MURLIGANJ District- Madhepura

1. Bhagwan Lal Rastogi @ Bhagawan Rastogi Son of Late Yugal Rastogi Resident of Village- Murliganj, P.S- Murliganj, Dist- Madhepura.
2. Mahesh Rastogi @ Mahesh kr. Son of Ganesh Rastogi Resident of Village- Murliganj, P.S- Murliganj, Dist- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dinesh Prasad Verma, Adv..
For the Opposite Party/s : Mr. Abhay Kumar Roy, APP.

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 26-06-2024 Heard learned counsel for the petitioners, learned counsel for the informant and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in connection with Murliganj P.S. Case No. 194 of 2023 instituted under Sections 341, 323, 379, 384, 504, 506/34 of the Indian Penal Code.

3. As per the prosecution case, on 15.05.2023, the accused persons surrounded the informant and his younger brother and started abusing and asked to pay the ransom amount of Rs.50,000/- which was demanded earlier. They took them near Benga River with the intention to kill, in the meantime, they snatched a golden chain from his younger brother's neck worth Rs.18,000/-. On making *hulla*, they fled away by giving threatening.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. He further submits that this case has been filed due to business rivalry. There is delay of five days in lodging the F.I.R. without any plausible explanation. He further submits that petitioners have no criminal antecedent and they undertake to cooperate in the investigation and trial.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioners be released on bail upon furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount to each to the satisfaction of the learned Judicial Magistrate, Ist Class, Madhepura in connection with Murliganj P.S. Case No.194 of 2023, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

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