

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38191 of 2024

Arising Out of PS. Case No.-130 Year-2023 Thana- JAMUI District- Jamui

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RAJESH MISTRI @ RAJESH KUMAR @ RAJESH SHARMA SON OF
DINESH MISTRI @ DINESH SHARMA RESIDENT OF VILLAGE -
AMBA, P.S. - JAMUI, DISTRICT - JAMUI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. S. K. Lal
Mr. Umesh Prasad
For the Opposite Party/s : Mr. Humayou Ahmad Khan

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 203-07-2024
1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. This application, for grant of anticipatory bail, arises out of Jamui Police Station Case No. 130 of 2023, dated 27.02.2023, disclosing offences under Sections 341/323/364/386/504/506/34 of the Indian Penal Code.

3. The prosecution case, as per the First Information Report, is that on 26.02.2023, the informant was coming from Deoghar via Jamui on his Scorpio vehicle and when he reached near Amba village in the evening at about 04:00 PM his car collided with one pickup van upon which a DJ set was fixed. The persons present around the pickup van confined the informant in a room of the petitioner and



demanded a sum of Rs. 30,000/- and also threatened to kill him. Subsequently, the police came and the co-accused persons, namely, Prem Mahto, Guddu Mahto and Chandan Rawat, took the informant on the motorcycle and demanded a sum of Rs. 2,30,000/- as ransom.

4. Learned Counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged and has falsely been implicated in this case due to some dispute between the informant and owner of the pickup van and DJ set, which was fixed on the van. On the date of occurrence, the marriage ceremony was scheduled in the house of the petitioner, in which, the DJ set was hired by the petitioner's family. When the scorio vehicle dashed pickup van causing damage to the pickup van and DJ set fixed on it, the owner, namely, Prem Mahto, demanded compensation. The owner of the pickup van and DJ filed a complaint, bearing Complaint Case No. 284C of 2023, in this regard against the informant due to the fact that the police refused to register the case against the informant upon the complaint of the co-accused Prem Mahto.
5. Regards being had to the submissions made on behalf of



the parties and taking into consideration the fact that the informant’s vehicle dashed the pickup van of co-accused, which was hired for the marriage ceremony by the petitioner’s family, I am inclined to grant the petitioner privilege of anticipatory bail.

- 6. This application is, accordingly, allowed.
- 7. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, 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 learned Chief Judicial Magistrate, Jamui, in connection with Jamui Police Station Case No. 130 of 2023, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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