

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43477 of 2024

Arising Out of PS. Case No.-163 Year-2023 Thana- THAWE District- Gopalganj

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Dularchand @ Dularchandra @ Dularchand Kumar Ram S/o Satyanarain
Ram R/O VILLAGE NASHIPAR TOLA BEDU TOLA PS THAWE
DISTRICT GOPALGANJ

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Indrajeet Bhushan

For the Opposite Party/s : Mr.Rajendra Singh

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 20-07-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Thawe P.S. Case No. 163 of 2023 registered for the offences punishable under Sections 341, 323, 325, 307, 379, 385, 34 of the IPC.

3. As per prosecution case, petitioner along with three associates entered into the poultry farm of informant in inebriated condition and started demanding extortion and when same was protested, petitioner assaulted the informant by means of *danda* on the head as a result of which informant sustained injury. It is further alleged that petitioner also snatched Rs. 47,000/- from the informant. It is further alleged that mobile of



informant was snatched by associate of the peittioner.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence as alleged in the FIR and he has falsely been implicated in this case. Petitioner bears no criminal antecedent. Learned counsel further submits that petitioner gave a written information to the S.H.O., SC/ST Police Station, Gopalganj who lodged Gopalganj SC/ST P.S. Case No. 26 of 2023 under Section 341, 323, 324, 354, 307, 504, 506, 34 of the IPC and Sections 3(i)(r)(s)/3(2) (va) of SC/ST Act and the said case has been lodged earlier to the present case lodged by the informant. He further submits that the present case is nothing but counter blast of Gopalganj SC/ST P.S. Case No. 26 of 2023. He further submits that injuries are simple in nature and allegation of snatching Rs. 47,000/- is nothing but super addition. He further submits that petitioner had neither demanded any extortion from the informant nor snatched any money from him. In view of the aforesaid fact, no offence under Sections 341, 323, 325, 307, 379, 385, 34 of the IPC is made out against the petitioner.

5. The learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the



case, keeping in view clean antecedent of petitioner, argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gopalganj in connection with Thawe P.S. Case No. 163 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Alok Kumar Pandey, J)

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