

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51720 of 2024

Arising Out of PS. Case No.-116 Year-2023 Thana- BIDUPUR District- Vaishali

Neelratansharma @ Tunna @ Neelratan Sharma @ Neelratna Son of Ram
Kishore sharma R/O Dailwarpur East, P.s.- Bidupur, Dist.- Vaishali.

... .. Petitioner/s

Versus

The State Of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kanchan Kumari

For the Opposite Party/s : Mr.Aditya Narayan Singh.1

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

3 20-11-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Vaishali Sadar Bidduput P.S. Case No. 116/2023 registered for the offences punishable under Sections 341, 323, 384, 379, 504, 506 of the Indian Penal Code.

3. As per prosecution case, petitioner is said to have demanded medicine and money as extortion. When the same was protested, petitioner assaulted the informant by means of stick. It is alleged that petitioner snatched gold chain from informant's neck and also looted away all the money which had been sold by the informant.

4. Learned counsel for the petitioner submits that petitioner and informant are co-villager and allegations against



the petitioner are baseless as no physical harm or injury has been reported in the whole scenario. He further submits that allegation of extortion has been attributed against the petitioner just to make the offence graver. Petitioner is innocent and has committed no offence as alleged in the FIR and he has falsely been implicated in this case on the account of local rivalry with the informant. Petitioner bears criminal antecedent of one case in which he is on bail. He further submits that there is no any previous allegation which is related with the present occurrence. He further submits that from the perusal of F.I.R., it appears that the occurrence took place on 23.02.2023 and F.I.R. was lodged on 25.02.2023 and no plausible explanation has been given regarding the said delay which questions the veracity and authenticity of the prosecution story.

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, 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 CJM, Vaishali at Hajipur in connection with Vaishali Biddupur P.S. Case No. 116/2023, 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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