

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53784 of 2024

Arising Out of PS. Case No.-107 Year-2024 Thana- SHERGHATI District- Gaya

1. Krishna Kumar Son Of Ramashish Mahto @ Ramashish Prasad Village -Nawada Ps -Sherghati, Dist- Gaya
2. Pintu Kumar Son Of Hardeo Singh @ Hardeo Prasad @ Hardev Singh Village -Nawada Ps -Sherghati, Dist- Gaya
3. Chintu Kumar @ Guddu Kumar Son Of Bajrangi Prasad Village -Nawada Ps -Sherghati, Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kumar, Advocate
For the Opposite Party/s : Mr. Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 28-08-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend arrest in connection with Sherghati P.S. Case No. 107 of 2024 dated 09.02.2024, instituted for the offence punishable under Sections 147, 341, 323, 427, 385, 387 of the Indian Penal Code.

3. The prosecution case, in short, is that the petitioners along with 20 unknown accused persons demanded Rs. 1 lakh per month as levy from the informant, who is a clerk appointed in Galediata Enginerring Marks Private Limited and they also damaged the glass of vehicle and diesel tank which was stayed



at the Budhi River for loading of sand.

4. Learned counsel for the petitioners submits that the petitioners are innocent and they have been falsely implicated in this case. It is further submitted that there is allegation about demand of extortion. It is admitted case of the prosecution that there is no transaction of money between both the parties and as such offences under Section 387 of I.P.C will not made out, as alleged, and other Sections of I.P.C. are bailable in nature. It is further submitted that alleged occurrence took place on 08.02.2024 at 07:00 pm whereas written application for registration of FIR was submitted by the informant to the police on 09.02.2024 at 08:11 pm i.e. after lapse of 24 hours. It is further stated that no independent witness has supported the case of the prosecution. Lastly, it has been submitted that the petitioner nos. 1 & 2 have no criminal antecedents whereas petitioner no. 3 has one criminal case against him.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Sherghati P.S. Case



No. 107 of 2024, they shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.- 1st Sherghati at Gaya, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

Sankalp/-

U		T	
---	--	---	--

