

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.74332 of 2022

Arising Out of PS. Case No.-326 Year-2020 Thana- BIHTA District- Patna

GAUTAM KUMAR @ GAUTAM BHAGAT Son of Bindu Bhagat R/v- Sri
Rampur, P.S.- Bihta, District- Patna

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Sinha

For the Opposite Party/s : Mr.Ganesh Prasad Singh

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

4 22-01-2024 Learned counsel for the petitioner is permitted to
remove the defect(s), as pointed out by the office, if any, within
a period of three weeks from today.

2. Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

3. The petitioner is apprehending his arrest in
connection with Bihta P.S. Case No. 326 of 2020 dated
13.05.2020 registered for the offences punishable under
Sections 147, 149, 341, 323, 307, 386, 379, 504 and 506 of the
Indian Penal Code.

4. As per the prosecution case, 10-15 people stopped
the tractor of the informant while he was going after unloading
sand. In the meantime, the co-accused Shankar Rai abused and
demanded an extortion of Rs. 500 per tractor and he threatened
to kill him if the said demand was not fulfilled. Thereafter, they
assaulted the informant and snatched Rs. 2000/- from his



pocket. Further, the informant called police, when police arrived, the accused persons scuffled with them but they fled away, when more police arrived.

5. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. The petitioner has no criminal antecedent as stated in para 3 of the bail petition. The other co-accused person has already been granted bail by the Co-ordinate Bench *vide* order dated 10.01.2023 passed in Cr. Misc. No. 50472 of 2022. There is general and omnibus allegation against the petitioner.

6. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner.

7. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Danapur, Patna in connection with Bihta P.S. Case No. 326 of 2020, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.



8. The application stands allowed.

(Chandra Prakash Singh, J)

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