

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73843 of 2024

Arising Out of PS. Case No.-164 Year-2023 Thana- DARAUNDA District- Siwan

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Bittu Kumar @ Bittu Kumar Yadav, aged about 21 years, Gender-Male, S/o Shambhunath Yadav @ Shambhu Yadav, R/o Village- Bangara, P.S.- Daraundha, District- Siwan.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Brajesh Kumar Singh, Advocate
For the Opposite Party : Mr. Madan Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 23-10-2024 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Daraundha P.S. Case No. 164 of 2023 dated 01.06.2023 registered for the offences punishable under Sections 385, 386 and 387 read with Section 34 of the I.P.C.

3. As per the prosecution case, on 31.05.2023 at about 8.00 A.M., on the informant's mobile no. 9546353919, a call from mobile no. 9801251121 came and the informant received an information that one Rahul Kumar Dibbi ordered to give Rs. 50,000/- to his son Dhiraj Yadav who is going to his shop. Thereafter, Dhiraj Yadav came at his jewellery shop, namely, 'Ajay Jewelers' and told him that Rahul Kumar Dibbi sent him



for Rs. 50,000/-. It is further alleged that due to fear, he went to his roof and saw that the said Rahul Yadav and Bittu Kumar (petitioner) entered his shop and Rahul Yadav brandished a pistol and asked his father Yogindra Soni about his son Bhola who had accepted to give Rs. 50,000/- and the accused persons threatened his father and the informant of dire-consequences.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in the present case. It is further submitted that there was exchange of some hot talk between the parties as the informant had not given pure ornaments in the marriage ceremony of the petitioner before two or three months from the date of alleged occurrence. There is general and omnibus allegation against the petitioner. The informant has not given a single penny to the petitioner. He has no concern with the alleged offence. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail application.

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

6. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender before the learned court below 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 C.J.M. Siwan, in connection with Daraundha P.S. Case No. 164 of 2023, subject to the condition as laid down under Section 438(2) of the Cr.P.C. with further condition:-

(I) The petitioner is directed to remain physically present before the learned court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner are liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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