

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70717 of 2023

Arising Out of PS. Case No.-312 Year-2023 Thana- MOTIHARI MUFASIL District- East
Champaran

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Sunny Saraff @ Sunny Sarraf Son Of Arun Kumar Village- Nakchhed Tola
Miscot Ps- Town Motihari Dist- E.Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Karandeep Kumar

For the Opposite Party/s : Mr. Atul Chandra

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 05-02-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in Muffasil
P.S. Case No. 312 of 2023 registered for the offences punishable
under Sections 147, 149, 341, 323, 324, 384, 506 of the Indian
Penal Code pending in the Court of learned Chief Judicial
Magistrate, East Champaran at Motihari.

3. As per the prosecution case, allegation against
the petitioner is of demanding extortion money of Rs. 5 lakh
from the informant.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this
case. The allegation levelled against the petitioner is not
specific rather general and omnibus in nature. He submits that



in the entire case diary there is no specific overt act against the petitioner. He further submits that the Investigating Officer has not examined the mobile number from which ransom was demanded from the informant. The petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposes the prayer for anticipatory bail and submits that specific overt act has been attributed against the petitioner and the allegation against the petitioner is of serious nature. Hence, he does not deserve privilege of anticipatory bail.

6. Considering the facts and circumstances of case and the nature of the offence, I am not inclined to enlarge the petitioner on anticipatory bail. The prayer for anticipatory bail of the petitioner is hereby rejected.

7. However, if the petitioner surrenders before the learned Court below within six weeks from today and seek regular bail, the learned Court below would pass order on the same day in accordance with law without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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