

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77185 of 2024

Arising Out of PS. Case No.-718 Year-2023 Thana- BELAGANJ District- Gaya

Nitish Kumar Son of Tetar Yadav Resident of village - Dalalchak, P.S.-
Belaganj, District - Gaya

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Vinod Kumar
For the Opposite Party/s :	Mr.Jai Narain Thakur

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 21-11-2024 1. Heard the parties.

2. The petitioner apprehends his arrest in connection with Belaganj P.S. Case No. 718 of 2023 dated 03.11.2023 registered under Sections 386 & 307 of the I.P.C. and Section 27 of the Arms Act.

3. As per the first information report on 02.11.2023 while the informant was returning towards his village, in the meanwhile, six persons on two motorcycles including the petitioner intercepted the Scorpio of the informant and started indiscriminate firing, however, the informant managed to save himself. On the previous day on 01.11.2023 also the petitioner along with other accused person and 20-25 unknown persons had surrounded the informant near the Kali temple gate pointed



the pistol and threatened him to kill if the informant fails to deliver extortion amount of Rs. 500000/-.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case due to political reason and previous enmity. The occurrence allegedly took place on two different dates i.e. 01.11.2023 and 02.11.2023 but the F.I.R. has been lodged after delay on 03.11.2023. The bullet fired by the petitioner did not hit any body and neither the used cartridges have been recovered from the place of occurrence. The informant is a Mukhiya of the Gram Panchayat and has lodged a false case against the petitioner to pressurize him not to raise demand for Government schemes in the village.

5. Regard being had to the submission made by the parties, taking into consideration the fact that bullet fired by the petitioner did not hit anybody, no cartridges has been recovered from the place of occurrence and there is delay in lodging the F.I.R. , I am inclined to grant anticipatory bail to the petitioner.

6. Let the petitioner, above named, be released on anticipatory bail in the event of arrest or surrender before the court below within a period of four weeks from today on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of



learned C.J.M., Gaya in connection with Belaganj P.S. Case No.
718 of 2023 subject to the condition as laid down under Section
438 (2) of the Cr.P.C.

(Anil Kumar Sinha, J)

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