

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79411 of 2023

Arising Out of PS. Case No.-347 Year-2022 Thana- HARSIDHI District- East Champaran

Motilal Sahani Son Of Late Birbal Sahani @ Late Virbal Sahani Resident Of
Village - Harsidhi, Babu Tola, Ward No.05, Police Station - Harsidhi, District
- East Champaran At Motihari

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shashank Shekhar, Advocate

For the Opposite Party/s : Mr.Anita Kumari, APP

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

ORAL ORDER

2 23-01-2024 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 Harsidhi P.S. Case No. 347/2022 dated

21.07.2022 registered for the offences punishable under

Sections 147, 149, 341, 323, 385, 387, 427, 379, 504 and 506 of

the Indian Penal Code.

4. As per the prosecution case, the petitioner and the

co-accused persons are alleged to have stopped the construction

work of the informant and demanded Rs. 20 lacs as *rangdari*



and threatened to kill him. Thereafter, due to non-fulfillment of the said demand, the petitioner and the co-accused persons along with 10 unknown persons holding deadly weapons came and started abusing and assaulting the informant and his brothers. Thereafter, they took away 10 bags of cement, iron rod and other articles worth Rs. 70,000/- on the point of pistol.

5. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. The petitioner is accused in two other criminal case as stated in para 3 of the bail petition. Learned counsel has submitted that from perusal of the prosecution case it appears that the informant alleges indiscriminate assault by several peoples, however, the same is not corroborated by any injury report. Nothing has been recovered from the possession of 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,



East Champaran at Motihari in connection with Harsidhi P.S.
Case No. 347/2022, 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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