

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82864 of 2023

Arising Out of PS. Case No.-163 Year-2023 Thana- DUMARIAGHAT District- East Cham-
paran

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1. ARJUN SAHANI SON OF BALA SAHANI R/O VILLAGE- PAKARI DUMARIYA, P.S.- DUMARIYAGHAT, DISTRICT- EAST CHAMPARAN
 2. JHUNA KUMAR SON OF PREMCHANDRA PRASAD R/O VILLAGE- PAKARI DUMARIYA, P.S.- DUMARIYAGHAT, DISTRICT- EAST CHAMPARAN
 3. DHARMENDRA SAHANI SON OF SHAMBHU SAHANI R/O VILLAGE- PAKARI DUMARIYA, P.S.- DUMARIYAGHAT, DISTRICT- EAST CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Abhishek Kumar
For the Opposite Party/s:		Mrs. Dr. Indihar Kumari
		Mr. Sanjay Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 08-01-2024 Heard the parties.

2. Learned counsel for the petitioner seeks permission to
withdraw this application as against the petitioner no.1.

3. Permission is granted.

4. Accordingly, this application as against the petitioner
no.1 is dismissed as withdrawn.

5. Now, this application is being heard with regard to the
petitioner nos.2 and 3 only.

6. The petitioners apprehend their arrest in a case regis-
tered for the offence punishable under Sections 341, 323, 385,



379, 353, 506/34 of the Indian Penal Code.

7. Allegedly, the petitioners and other accused persons went to the school and demanded extortion money from the informant, who is a teacher in the said school. When the informant protested, the accused persons took out Rs.20,000/- and snatched some registers from the school.

8. It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. The petitioner nos.2 and 3 are not named in the FIR and there is no specific overt act against them. Petitioners have no criminal antecedent.

9. Learned APP for the State as well as learned counsel for the informant opposed the prayer for anticipatory bail.

10. Having regard to the facts and circumstances of the case as there is no specific overt act against the petitioner nos.2 and 3, let the above named petitioner nos.2 and 3, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thou-



sand) **each** with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Dumariyaghat P.S. Case No.163 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

11. Accordingly, this application is partly allowed.

(Anjani Kumar Sharan, J)

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