

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.304 of 2024

Arising Out of PS. Case No.-363 Year-2023 Thana- UDWANTNAGAR District- Bhojpur

1. JITENDRA SINGH Late Ramjee Singh R/O VILLAGE TETARIYA, P.S.- UDWANTNAGAR, DIST.- BHOJPUR.
2. RAKESH KUMAR SINGH JITENDRA SINGH R/O VILLAGE TETARIYA, P.S.- UDWANTNAGAR, DIST.- BHOJPUR.
3. RAMAYE KUMAR LATE LALAN SINGH R/O VILLAGE TETARIYA, P.S.- UDWANTNAGAR, DIST.- BHOJPUR.

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Raju Kumar Singh, Adv Mr. Rajeev Ranjan No.II, Adv
For the Opposite Party/s	:	Mr. Dilip Kumar No.1, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 06-02-2024 Heard Mr. Raju Kumar Singh, learned counsel for the petitioners as well as Mr. Dilip Kumar No.1, learned APP for the State.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 147, 149, 341, 323, 307, 384, 379, 504, 506 of the Indian Penal Code.

3. The allegation against the petitioners is that they entered into the shop of the informant and assaulted him and demanded extortion and upon objection they took Rs.10,000/- from his counter on the point of pistol.

4. 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. There is a case and counter-case between the parties. There is an admitted land dispute between the parties. He further submits that the injuries are simple in nature. Petitioner no.1 and 3 have no criminal antecedent whereas the petitioner no.2 has four criminal antecedent.

5. Learned APP for the State opposed the prayer for anticipatory bail.

6. Having regard to the facts and circumstances of the case as the petitioner has criminal antecedent of similar nature of offence, I am not inclined to enlarge the petitioner no.2 on bail. The prayer for grant of anticipatory bail on his behalf is hereby rejected.

7. However, if the petitioner no.2 surrenders before the learned Court below within a period of six weeks from today and seek for regular bail, the learned Court below shall pass the order on the same day in accordance with law.

8. Also, considering that there is no specific overt act against the petitioner no.1 and 3, let the above named petitioner



nos.1 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 Thousand) **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 Udwantnagar P.S. Case No.363 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

9. Accordingly, this application is partly allowed.

(Anjani Kumar Sharan, J)

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