

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85544 of 2023

Arising Out of PS. Case No.-70 Year-2022 Thana- BACHHWARA District- Begusarai

Hare Krishna Chaudhary Son of Jagadambi Chaudhary R/o vill - Rani Tola,
Dadupur Diyara, P.S. - Bachhwara, Distt. - Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amar Kumar Singh, Advocate

For the Opposite Party/s : Mr. Shailendra Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 18-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner is apprehending arrest in connection with Bachhwara P.S. Case No. 70 of 2022 registered on 27.03.2022 for the offences under Sections 341, 323, 337, 308, 384, 504 and 506/34 of the Indian Penal Code.

3. As per prosecution case, the petitioner and other co-accused persons demanded extortion from the informant and when it was opposed by the brother of the informant, they assaulted him causing a number of injuries to him.

4. The learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The allegation against the petitioner and co-accused



Surbal Roy is that they demanded ₹1.5 lac from the informant as extortion and except this allegation, there is no specific allegation of assault against the petitioner, but the said allegation is not believable. The injury report of the victim shows multiple laceration over right lower limb and swelling over the scalp and both injuries were found to be simple in nature. Learned counsel further submits that land dispute between the parties is admitted. The FIR has been lodged after much delay as the occurrence is said to have taken place on 18th of March, 2022, whereas FIR was registered on 27th of March, 2022 and there is no explanation for the same. The petitioner is having clean antecedent. The informant has purchased ancestral property of the petitioner and wants to pressurize him to part with the property.

5. Learned APP opposes the submission made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering non-serious nature of allegation against the petitioner and possibility of false accusation, let the petitioner above named, in the event of arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail,



on furnishing bail bonds of Rs.20,000/- (Rupees Twenty Thousand Only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Begusarai/concerned court in connection with Bachhwara P.S. Case No. 70 of 2022, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions :

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

Amrendra/-

U		T	
---	--	---	--

