

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5764 of 2025

Arising Out of PS. Case No.-114 Year-2024 Thana- BANGARA District- Samastipur

-
1. Kundan Kumar @ Kundan Ray S/o- Santlal Ray Resident of village- Chandauli PS- Tajpur District- Samastipur
 2. Tarun Kumar S/o- Suresh Singh Resident of village- Chandauli PS- Tajpur District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Anish Kumar Mr. Nilendu Kumar Choudhary
For the State	:	Mr. Aditya Narayan Singh.1
For the informan	:	Mr. Rabish Kumar Mr. Adarsh Gaurav

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 20-03-2025
1. Heard learned Counsel for the petitioners, learned Counsel for the informant and learned Additional Public Prosecutor for the State.
 2. This application, for grant of anticipatory bail, arises out of N.H. Bangra Police Station Case No. 114 of 2024, dated 30.08.2024, disclosing offences punishable under Sections 126(2)/115(2)/109/303(2)/304(2)/352/351(2)/74/308(5)/3(5) of the Bhartiya Nyaya Sanhita, 2023 and Section 27 of the Arms Act.
 3. The prosecution case, as per the First Information Report lodged by the informant, Mamata Devi, is that her



husband was involved in illegal trade of liquor along with the petitioners and other accused persons. On 30.08.2024, in the morning, while she was going on a Scorpio vehicle along with her husband and driver, the petitioners, along with other accused persons, about 15-16 in numbers, overtook the Scorpio vehicle of the informant with 5-6 motorcycles, started abusing and firing and co-accused Rajeev Singh @ Chotu, on gun point, pulled the informant's husband from the vehicle and demanded extortion money. When the informant came down from the vehicle and intervened in the matter in order to save her husband, they started abusing the informant and snatched Rs. 1,00,000/- from the informant's purse and co-accused Dhiraj Rai snatched gold chain of the informant, worth Rs. 1,50,000/-.

4. Learned Counsel for the petitioners submits that though the petitioners are named in the First Information Report, but there is no specific allegation and overt act against the petitioners and only general and omnibus allegations have been made against the petitioners. From the very perusal of the First Information Report, it appears that the informant's husband was also a veteran criminal and was



indulged in the trade of illicit liquor. The petitioners are having criminal antecedents of the excise matter and that is the basis of the rejection of their bail application by the learned 5th Additional Sessions Judge, Samastipur.

5. On the other hand, learned Counsel for the informant vehemently opposes the prayer for bail and submits that it is true that the informant's husband was indulged in the trade of illicit liquor, but, now, he has left the business of illicit liquor and has opened a shop of fertilizers, for which license has been issued in his favour. The petitioners are criminals having antecedents and are pressurizing the informant's husband to give extortion/rangdari to them. The petitioners are having more criminal antecedents as mentioned in this bail application.
6. Regards being had to the submissions advanced on behalf of the parties and taking into consideration the fact that there is no specific allegation against the petitioners of assault and/or threatening/snatching and the specific allegation has been made against two co-accused persons and further taking into account the fact that the informant's husband was also involved in the trade of



illicit liquor, I am inclined to grant the petitioners privilege of anticipatory bail.

- 7. This application is, accordingly, allowed.
- 8. Let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Samastipur, in connection with N. H. Bangra Police Station Case No. 114 of 2024, subject to the condition laid down under Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

U	✓	T	✓
---	---	---	---

