

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16699 of 2025

Arising Out of PS. Case No.-258 Year-2022 Thana- DHORAIYA District- Banka

1. Kranti Singh @ Kanti Singh Son of Late Naresh Singh Resident of Village- Kasba, P.S.- Dhoraiya, Distt.- Banka
2. Prabhakar Kumar Singh @ Prabhakar Singh Son of Sridayal Singh @ Shyam Singh Resident of Village- Kasba, P.S.- Dhoraiya, Distt.- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Dharendra Kumar
For the State	:	Mr. Nawal Kishore Prasad
For the Informant	:	Mr. Ravish Mishra

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 16-04-2025 Heard learned counsel for the petitioners, learned counsel for the informant and learned APP for the State.

2. The petitioners apprehend their arrest in a case registered for the offences u/s 341, 323, 307, 379, 504 and 34 of I.P.C.

3. Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and informant alleges that on 10.07.2022 at about 8.00 hrs, while he was going to his house from the market with his wife then on the way the accused persons including the petitioners demanded extortion of Rs.10,000/- from his wife, on objection, it is alleged that petitioner dashed the informant on ground and assaulted by an iron rod causing injury on head and also snatched Rs.10,000/-



and gold chain from informant's wife.

4. Learned counsel for the petitioners submits that the petitioners have been falsely implicated in the instant case by the informant, it is further submitted that it does not appear probable that in a market place the petitioners would have intercepted the informant and his wife and would have demanded extortion amount of Rs.10,000/- from his wife. It is next submitted that petitioner no.1, had given a loan to the informant and when he demanded his money back, the present false case came to be instituted but then it is fairly submitted that an altercation have taken place in both sides assaulted each other. It is also submitted that the injury sustained by the injured is simple in nature and there is no allegation of repeating the blow. It is further submitted that petitioners were given the benefit of Section 41(A) of Cr.P.C. and they cooperated with the police during the course of investigation. It is also submitted that the police never felt the need of arresting the petitioners but then charge sheet came to be submitted. It is that submitted that when the police never felt the need of arresting the petitioners during the course of investigation whether it would be prudent to this Court to send the petitioner to jail merely because charge sheet came to be submitted.



5. Learned A.P.P. for the State and learned counsel for the informant opposes the prayer for anticipatory bail of the petitioners. It is submitted by the learned counsel for the informant that petitioner no.1 has not approached this Court with clean hands. It is next submitted that at para-3 of the bail application, it has been pleaded that petitioner no.1 is a person with clean antecedent when he has antecedent of one case i.e. Dhankund P.S. Case No.61 of 2014 dated 16.06.2014. It is thus submitted that a person who does not approach the Court with clean hand such person should not be given benefit of anticipatory bail.

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Dhoriya P.S. Case No.258 of 2022, subject to the conditions as laid down under Section 482 (2) of the BNSS.

7. However, the learned trial Court before accepting the bail



bond of the petitioner no.1 shall verify his criminal antecedent and in the event if it is found that he has antecedent of even one case in that event the present anticipatory bail order shall not be given effect to with respect to petitioner no.1.

(Satyavrat Verma, J)

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