

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32203 of 2025

Arising Out of PS. Case No.-217 Year-2024 Thana- SONBERSHA RAJ District- Saharsa

Ajay Bishwas @ Ajay Kumar @ Ajay Vishwas S/o Dineshwar Vishwas,
Resident of Village- Nagar Panchayat Sonbarsa, Ward No. 09, Sonbarsa Raj,
District- Saharsa (Bihar).

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Amarnath Jha, Advocate

For the Opposite Party/s : Mr. Nirmal Kumar Sinha, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 21-05-2025 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. In the present case, the petitioner is apprehending his arrest in connection with Sonbarsa Raj P.S. Case No. 217 of 2024, dated 07.12.2024, registered for the offences punishable under Sections 191(2), 191(3), 190, 126(2), 115(2), 303(2), 308(2), 324(4), 324(5), 109, 352, 351(2) and 351(3) of the B.N.S., 2023.

3. As per prosecution case, the petitioner along with other co-accused persons entered into the office of the informant armed with spear and *danda* etc. They had been demanding rupees 15 lakhs as extortion money. Subsequently, on instigation of the petitioner, other co-accused persons assaulted the informant and his staff. The co-accused



persons took out rupees 45 thousand from the pocket of the informant and also a gold chain worth rupees 2 lakhs and 25 thousand only. They also damaged the CCTV camera and CCTV machine.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. From perusal of FIR it is apparent that there is no allegation of assault against this petitioner, who has been falsely implicated saying he was the order giver. The allegation of assault by spear is against the co-accused Chhotelal Vishwas and further allegation of assault on informant is against other co-accused persons. There is a counter version and mother of Bittu Vishwas has filed a Complaint Case bearing No. 1243 of 2024 in the Court of learned Chief Judicial Magistrate, Saharsa against the informant and others. The injuries on the victim and his staff were found to be simple and superficial. This petitioner is a Government Teacher and has no concern with the alleged occurrence. This petitioner has been made accused in another case lodged by the same informant.

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 the absence of any specific allegation against the petitioner for assault or demand of money and further considering the possibility of false implication, let the petitioner above-named, in the event of his 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. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Saharsa, in connection with **Sonbarsa Raj P.S. Case No. 217 of 2024**, subject to the conditions as laid down under Section 482(2) of the B.N.S.S. 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)

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