

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44564 of 2025

Arising Out of PS. Case No.-535 Year-2024 Thana- SIWAN CITY District- Siwan

1. Shivam Kumar S/O Sunil Prasad @ Sunil Kumar Resident of Village - Kasera Toli, P.S. - Siwan Town, District - Siwan
2. Amit Kumar S/O Anil Prasad Resident of Village - Kasera Toli, P.S. - Siwan Town, District - Siwan
3. Akash Kumar S/O Anil Prasad Resident of Village - Kasera Toli, P.S. - Siwan Town, District - Siwan
4. Sonu Kumar S/o Anil Prasad Resident of Village - Kasera Toli, P.S. - Siwan Town, District - Siwan
5. Sunil Prasad S/o Jagdish Prasad Resident of Village - Kasera Toli, P.S. - Siwan Town, District - Siwan
6. Anil Prasad S/O Jagdish Prasad Resident of Village - Kasera Toli, P.S. - Siwan Town, District - Siwan
7. Amit Kumar S/o Madan Prasad Resident of Village - Kasera Toli, P.S. - Siwan Town, District - Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijay Prakash Singh, Advocate
For the Opposite Party/s : Mr. Satyendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH
ORAL ORDER

2 18-07-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners are apprehending their arrest in connection with Siwan Town P.S. Case No. 535 of 2024 for the offence under Sections 191(2), 190, 223, 115(2), 352, 351(2), 324(4), 308(4) and 303(2) of the BNS.

3. As per the prosecution story, the informant has



alleged that on 30.09.2024, at about 06:30 AM, all the F.I.R. named accused persons, armed variously came to his shop and demanded a sum of Rs. 30,00,000/- as extortion, meanwhile some persons came there with JCB and destroyed his shop as well as stolen utensils worth Rs. 3,50,000/- from his shop.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case due to land dispute. This case is counter version of the case filed by the wife of petitioner no. 6 namely, Anil Kumar i.e. Siwan Town P.S. Case No. 531 of 2024, which was lodged prior to the present case against the informant and only to save their skin, this false and fabricated case has been lodged against these petitioners. Learned counsel further submits that the entire allegations are general, vague and far from the truth and the allegation of theft is ornamental. Informant has not assigned any motive for committing the instant occurrence by the petitioners upon him which cast serious doubt upon the truthfulness of the case. It is also submitted that petitioners and the informant are close agnate and elder brother of petitioner no. 6 and there is previous enmity and land dispute going on between the parties.

5. Learned APP opposes the prayer for bail.

6. Keeping in view the aforesaid facts, this Court is



inclined to extend them the privilege of anticipatory bail.

7. Let the petitioners be released on bail in the event of arrest or surrender within a period of four weeks from the date of receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Siwan, in connection with Siwan Town P.S. Case No. 535 of 2024 subject to the conditions as laid down under Section 482 of B.N.S.S., as also with the following conditions:-

(i) One of the bailors should be close relative of the petitioners.

(ii) if the petitioners tamper with the evidence or threaten the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(iii) In case, the petitioners repeat offence of similar nature after enlargement on bail, their bail bonds may be cancelled by the learned trial Court.

(S. B. Pd. Singh, J)

Ankit Kumar/-

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