

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44886 of 2024

Arising Out of PS. Case No.-67 Year-2024 Thana- JANTA BAZAR District- Saran

1. Bhrigunath Yadav Son Of Kisun Yadav Village- Balsera, Daudpur, P.S.- Daudpur, Distt.- Saran At Chapra
2. Gyan Chand Ram Village- Puchri, P.S.- Puchri, Distt.- Saran At Chapra
3. Naresh Kumar Das Son Of Jagdish Paswan Village- Ghoshpurpatti, Ward No. 9, P.S.- Virpur, Distt.- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Avinash Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Bharat Lal, APP

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

ORAL ORDER

8 17-03-2025 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioners are apprehending their arrest in connection with Janta Bazar P.S. Case No. 67 of 2024 for the offence under Sections 384, 385 and 34 of the I.P.C.

3. As per the prosecution story, the informant has alleged that she got a video clip on 24.04.2024 in which she found all the petitioners of this case being police personnel posted in Janta Bazar Police Station receiving bribe on 18.04.2024 when they were on duty.

4. Learned counsel for the petitioners submits that the petitioners are quite innocent and they have falsely been



implicated in the instant case only on the basis of suspicion. There is no compliance of Section 65-B of Indian Evidence Act with respect to the video in question on the basis of which the accusation has been leveled against the petitioners. No enquiry has even been made with regard to the original video nor the source of the video has been traced. Learned counsel further submits that without checking the authenticity of the viral video as to whether it is in its original form or being doctored. The petitioners were on duty in “Helpline – 112” on the alleged date of occurrence and they never moved on the alleged place of occurrence.

5. Learned APP opposes the prayer for bail and

6. From perusal of F.I.R. itself, it clearly transpires that from whom the money was extorted by the petitioners is not clear. Learned APP has also concedes that it is nowhere mentioned the name of alleged person from whose possession money was extorted. Keeping in view the aforesaid facts, this Court is inclined to extend him 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 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 Judicial Magistrate 1st Class, Saran at Chapra, in connection with Janta Bazar P.S. Case No. 67 of 2024 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(S. B. Pd. Singh, J)

Ankit Kumar/-

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