

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60947 of 2025

Arising Out of PS. Case No.-37 Year-2025 Thana- Bhararhi District- Madhepura

Chandrashekhar Patel S/O Shri Lal Bachan Singh R/O Village- Mokari, P.S.-
Mokari, District- Kaimur. At Present Posted at A.S.I. Police at Bharrahi Police
Station, Dist.- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Pd. Singh, Sr. Adv.
Mr. Bhaskar Shankar, Adv.
For the Opposite Party/s : Mr. Umanath Mishra, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

4 17-12-2025 Heard Mr. Krishna Pd. Singh, learned Senior
Counsel for the petitioner and learned APP for the State.

2. The petitioner apprehends his arrest in connection
with Bharrahi P.S. Case No. 37 of 2025 for the offence
registered under sections 308(2), 308(5) of BNS.

3. As per the prosecution story, the informant alleged
that he was constructing a new house after demolition of the old
one, there was a dispute and an application was preferred before
the concerned Police Station. Later, the petitioner along with
some constables came to his place, demanded money and
threatened of dire consequences. He accordingly, paid Rs.
3,000/- but since the dispute could not be resolved, he
approached again to the petitioner who threatened him of dire



consequences. This led to the FIR.

4. Learned Senior Counsel for the petitioner submits that he has already suffered, is now under suspension, has no criminal antecedent, undertakes to co-operate in the investigation and will have no truck or will try to intimidate the petitioner/witnesses.

5. Further, the submission is that without accepting the allegation and/or the outcome of the present petition, the petitioner on its own would like to contribute Rs. 3,000/- through Demand Draft issued by the local branch of the State Bank of India/any Nationalized Bank to be submitted before the 'NAZARAT' of concerned Court to be handed over to the informant after checking the credentials.

5. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail submitting that despite being the Policeman, he extorted money.

6. Though allegation is grave, the petitioner who got the uniform to protect the citizen started extorting money, as alleged, since he has no criminal antecedent, the Senior Police Officers have taken cognizance of the matter, as per the submission, he is under suspension, in that background, this Court is inclined to grant him the anticipatory bail with



conditions subject to payment of Rs. 3,000/- to the informant as undertaken by the learned Senior Counsel for the petitioner to be paid by Demand Draft of local branch of the State Bank of India/any Nationalized Bank to be submitted to the Trial Court.

7. Let the petitioner in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Madhepura in connection with Bharrahi P.S. Case No. 37 of 2025 subject to the following conditions:

(i) one of the bailor should be the family members/relatives of the petitioner, who shall provide official document to show his *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial court itself;

(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;



(iv) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

Vijay Singh/-

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