

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87894 of 2024

Arising Out of PS. Case No.-657 Year-2022 Thana- MANER District- Patna

1. Ashok Kumar @ Daroga Rai Son of Ram Balak Rai R/O-Mahadeo Asthan Maner, P.S. -Maner, District- Patna
2. Nitish Kumar Son of Ashok Kumar @ Daroga Rai R/O-Mahadeo Asthan Maner, P.S. -Maner, District- Patna
3. Golu Kumar Son of Durga Rai R/O-Molanipur, P.S. -Maner, District- Patna
4. Tarkeshwar Rai Son of Sri Ram Balak Rai R/O-Molanipur, P.S. -Maner, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Patanjali Rishi, Advocate
For the State	:	Ms. Suman Kumari Singh, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 20-01-2025 Heard learned counsels for the parties.

2. At the outset, learned counsel appearing on behalf of the petitioners seeks permission to withdraw the anticipatory bail application on behalf of Petitioner No. 1, namely Ashok Kumar @ Daroga Rai, as during pendency of this case, Petitioner No. 1 has already been apprehended.

3. Permission, as prayed for, is accorded.

4. Accordingly, the anticipatory bail application on behalf of Petitioner No. 1 stands dismissed as withdrawn.

5. The Petitioner Nos. 2, 3 and 4 apprehend their arrest in a case registered for the offence punishable under



Sections 341, 323, 307, 379, 504, 506 and 34 of the Indian Penal Code.

6. As per the prosecution case, on the alleged date and time of occurrence, these petitioners, along with other accused persons named in the F.I.R., assaulted informant and demanded extortion. It is further alleged that Petitioner No. 2 assaulted on head of informant with iron rod, co-accused Rohit Kumar assaulted upon nose of informant, Petitioner No. 3 looted Rs. 75,000/- cash from cash box of shop of informant and co-accused Ashok Kumar snatched gold locket from neck of informant.

7. It is submitted by learned counsel for the petitioners that petitioners have committed no offence and have falsely been implicated in this case. There are general and omnibus allegations against these petitioners. As a matter of fact, the present case is retaliatory measure intended to build pressure and wreak out vengeance for a case bearing Maner P.S. Case No. 656 of 2022 which was lodged by co-accused Daroga Rai against the informant and others, which is earlier in point of time. Petitioners claim clean antecedents.

8. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to



the petitioners.

9. Considering the aforesaid facts and circumstances, case and counter-case between the parties, nature of accusation and clean antecedents of the petitioners, the prayer for grant of anticipatory bail to Petitioner Nos. 2, 3 and 4 is allowed.

10. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named Petitioner Nos. 2, 3 and 4 be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, First Class, Danapur, Patna, in connection with Maner P.S. Case No. 657 of 2022, subject to condition as laid down under Section 482 of the B.N.S.S. Act.

11. Accordingly, this application stands disposed of.

(Prabhat Kumar Singh, J)

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