

Satya Niranjana Prakash @ Munna Dada vs The State Of Bihar on 29 January, 2025

Author: Khatim Reza

Bench: Khatim Reza

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.75164 of 2024

Arising Out of PS. Case No.-475 Year-2024 Thana- SASARAM NAGAR District

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1. Satya Niranjana Prakash @ Munna Dada, male, aged about 43 years, S/o Late Shiv Narayan Singh, resident of Mohallla- Baulia Road, P.S.-Sasaram (T) Distt- Rohtas at Sasaram.
2. Ajit Kumar, male, aged about 30 years, S/o Anil Mahto @ Anil Kumar Singh, R/o village- Dhankadha (Dhaudard), P.S. - Sasaram (T), Distt. - Rohtas at Sasaram

... .. Petitioners

Versus

1. The State of Bihar
2. Sunil Kumar, male, aged about 40 years, S/o- Ayodhya Singh, R/o- Mohalla Nooranganj (Sasaram), P.S.- Sasaram, District- Rohtas(Sasaram)

... .. Opposite

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar, Advocate

For the Opposite Party/s : Mr. Rajendra Prasad Nat, APP

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CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

3 29-01-2025

Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

2. Earlier, notice was issued to the informant-opposite party no.2 under speed post with AD as well as under ordinary process. Notice issued under ordinary process was received by the informant himself, but none has appeared on his behalf.

3. The petitioners apprehend arrest in connection with Sasaram (T) PS Case No.475 of 2024 dated 07.06.2024, instituted under Sections 341, 323, 379, 307, 385, 506/34 of the Indian Penal Code and Section 27 of the Arms Act. Patna High Court CR. MISC. No.75164 of 2024(3) dt.29-01-2025

4. The allegation against the petitioners is that they surrounded the informant and put pistol upon the glass of the car and thereafter the informant put down the glass of the window and then

petitioner no. 2 snatched Rs.50,000/-. It is further alleged that Niranjana Prakash @ Munna Dada (petitioner no.1) demanded ransom of rupees three lakhs in lieu of Rim Jhim Water Park and when the informant objected then Ritesh Kumar fired from countrymade pistol. They also snatched gold chain and threatened to kill him.

5. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. It is further submitted that the informant, petitioner no.1 and two others persons were the partners in a partnership firm in the name and style of Rim Jhim Water Park situated at Kanchanpur and some dispute arose between the partners. All the partners of the Rim Jhim Water Park entered into an agreement dated 05.11.2023 in presence of five witnesses at Rim Jhim Water Park on 05.11.2023 that all the responsibility of the Water Park will on other partners except petitioner no.1 and other partners will return Rs. 2.5 Crores on or before 31.05.2024. Further submission is that petitioner no.1 had sent legal notice through his counsel to the informant and other Patna High Court CR. MISC. No.75164 of 2024(3) dt.29-01-2025 partners for payment of money due with the informant and other partners. Present case has been lodged only to pressurize the petitioner no.1 to forgo the claim for the money. It is also submitted that the petitioner no.1 has also filed Complaint Case No.777 of 2024 before the Chief Judicial Magistrate, Rohtas at Sasaram, which was sent to PS concerned under Section 175(3) of the Bartiya Nagarik Suraksha Sanhita, 2023, for registration of the case and investigation and accordingly Sasaram (M) PS Case No.386 of 2024 has been registered against the informant and others under Sections 318(2), 318(3), 318(4), 316(2), 61(2)

(a) of the Bhartiya Nyaya Sanhita, 2023. Further submission is that there is no injury report of the informant and others. Lastly, it is submitted that the petitioner no.2 has no criminal antecedents while the petitioner no. 1 has two cases against him which was filed by the informant and his henchmen.

6. Learned APP has opposed the prayer for bail.

7. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioners be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Patna High Court CR. MISC. No.75164 of 2024(3) dt.29-01-2025 learned Chief Judicial Magistrate, Rohtas at Sasaram, in Sasaram (T) PS Case No.475 of 2024, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

8. The application stands allowed.

(Khatim Reza, J) J. Alam/-

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