

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35716 of 2016

Arising Out of PS.Case No. -35 Year- 2012 Thana -BHAGWAN BAZAR District- SARAN

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1. Sukhari Pandey s/o late Bhawan Pandey
2. Manoj Pandey
3. Nirbhay Pandey
4. Amit Pandey
5. Anish Pandey @ Aunish Pandey
6. Ajit Pandey @ Ajit Kumar Pandey
all are sons of Sukhari Pandey, resident of Village- Madhumalat Naya
Tola P.S- Turkaulia, District- East Champaran

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Sri Sanjay Kumar Tiwary

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 02-09-2016 Heard learned counsel for the petitioners and the State.

Petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 341, 323, 380, 385 of the Indian Penal Code.

The prosecution case is that the petitioners and others being the agnate of the informant used to threaten the informant with dire consequences, if either the extortion amount of Rs. 5,00,000/- is not paid or the sale deed executed with regard to land in question. The accused persons took the L.T.I. of the informant on the plain paper.

It is submitted by the learned counsel for the

petitioners that the actual occurrence took place at East Champaran on 31.10.2010, whereas the complaint was filed on Chapra on 14.12.2010, which came to be registered as Police case on 05.03.2012. It appears that the investigation has already concluded. It is further submitted that petitioner was not aware about the case and cognizance has been taken on 13.08.2015.

Considering the fact that case was registered in 2012, this Court is not inclined to grant anticipatory bail to the petitioner. But, keeping in view of the nature of accusation in the background of land dispute between the parties, it is a case for consideration of prayer for regular bail of the petitioner, let the learned court below consider the prayer for regular bail of the petitioners, if the petitioners surrender before the learned court below within a period of six weeks from today in connection with Bhagwan Bazar P.S. Case No. 35 of 2012, pending in the court of learned J.M., Chapra.

With the above observation this application is disposed of.

(Dinesh Kumar Singh, J)

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