

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21724 of 2017

Arising Out of PS.Case No. -20 Year- 2017 Thana -ARARIA District- ARRARIA

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1. Md. Razi Alam Son of Late Shamim Alam, Resident of Mohalla- Adarsh
Nagar Ward No. 16, P/s & District- Araria.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok

For the Opposite Party/s : Mr. Mritunjay Kumar Nirala

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

3 22-08-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks anticipatory bail in a case instituted
for the offences under Sections 384 and 386 of the Indian
Penal Code.

Allegation has been made by the informant that on
16.12.2016 at the time of sun setting accused persons have
entered into the house and Riyaz Alam asked the informant to
inform her husband to make payment of Rs.10 lacs. If the
amount will not be given, in such circumstances, his entire
family members will be killed. It has further been alleged that
Md. Razi Alam (petitioner) started firing in the air by his pistol
created terror. It has further been alleged that the land



belonging to Khata No.2438, Kheshra No.9544, area 8 decimals is purchased land of the informant through registered sale deed.

Counter claim has been made by one Pano Devi with respect to same land and she has also filed a case where allegation has been made against the informant and her family members wanted to evict from the said land. Her husband, a clerk in Civil Court, died who haf constructed the house and they wanted to evict from the house.

Learned counsel for the petitioner submits that present case is a counter blast of the earlier case and in that case petitioner has been shown as witness. He has placed reliance on the order of this Court by which Manoj Kumar Yadav and Md. Riyaz Alam alias Md. Reyaj Alam have been granted bail by this Court vide Cr. Misc. Nos. 20392 of 2017 and 21776 of 2017 respectively.

Looking to the facts and circumstances of the case, in the event of arrest or surrender within six weeks from today, let petitioner, namely, Md. Razi Alam, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Araria in



connection with Araria P.S. Case No.20 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure. It is made clear that if the petitioner will not co-operate during course of investigation and join for interrogation the police will be at liberty to file an application for cancellation of bail.

(Shivaji Pandey, J)

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