

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.61916 of 2017

Arising Out of PS. Case No.-140 Year-2017 Thana- KATORIA District- Banka

-
1. Parmeshwar Yadav, son of Late Madho Yadav.
 2. Daleshwar Yadav, son of Late Madho Yadav.
 3. Baleshwar Yadav, son of Late Madho Yadav. All are resident of Village- Kalothar, P.S. Katoria, District- Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brij Nandad Prasad

For the Opposite Party/s : Mr. SRI SANJAY KUMAR TIWARY 1

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 22-12-2017 Heard learned counsel for the parties.

The petitioners are apprehending arrest in a case registered for the offences punishable under sections 341,323 and 384/34 of the IPC.

The prosecution case is that on 19.8.2017 at 5 P.M. the informant went to Katoria Bazar to purchase some necessary articles, when the accused persons came and demanded Rupees One Lac as extortion. Petitioner no. 1 picked out Rupees Five Thousand from the pocket of the informant, while petitioner no. 2 picked out Rupees Four Thousand from the pocket of informant's brother. The accused persons threatened of dire consequences, if the remaining amount of Ninety One Thousand Rupees is not paid.



It is submitted by learned counsel for the petitioners that the accusation has been levelled in the background of serious litigated relationship between the parties. A proceeding under section 144 of the Cr.P.C., Cancellation of Jamabandi Case No. 1 of 2016-17 and Complaint Case No. 89 of 2017 are still pending between the parties. Statement has been made in paragraph no. 3 of the petition to the effect that earlier the father of the informant had lodged Katoria P.S. Case No. 78 of 2017 against the petitioners, wherein on investigation the police did not sent up the petitioners for trial.

Considering the nature of accusation levelled in the background of litigated relationship between the parties, let the petitioners above named be released on anticipatory bail in the event of arrest or surrender within 12 weeks on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned CJM, Banka in connection with Katoria P.S. Case No. 140 of 2017.

(Dinesh Kumar Singh, J)

anil/-

U		T	
---	--	---	--

